



**Implementing the National
Voter Registration Act:
A Report to State and Local
Election Officials on Problems and
Solutions Discovered 1995 – 1996**

**Prepared by:
The Office of Election Administration
Federal Election Commission
Washington, D.C. 20463
March 1998**

What is the Office of Election Administration?

The Office of Election Administration (formerly known as the National Clearinghouse on Election Administration) is a division of the United States Federal Election Commission. Our purpose is to help State and local election officials ensure the integrity and efficiency of the election process. We pursue this mission through research, publications, conferences, speaking engagements, and by providing information on a broad spectrum of election related matters free of charge to State, local, and international election officials, legislators, academics, the media, and the general public.

If you have questions about federal election related legislation or about the election process in general, please feel free to contact us at the numbers and addresses provided on the inside of the back cover.

What is Their Role in the National Voter Registration Act?

The National Voter Registration Act of 1993 specifically requires the Federal Election Commission (1) to provide information to the States regarding their responsibilities under the Act, (2) to design the national mail registration form, and (3) to report to the Congress each two years on the impact of the NVRA on the administration of elections.

Accordingly, in 1993, the FEC's Office of Election Administration provided the States with a guide to *Implementing the National Voter Registration Act of 1993: Requirements, Issues, Approaches, and Examples*. In 1994, we provided the States camera-ready copy and a modest supply of the national mail registration form and accompanying booklet. And, of course, we submitted the required report to the Congress in both 1995 and 1997.

We remain available to answer any questions you may have about the NVRA or to discuss any problems you may be having with it -- although the enforcement authority of the Act is the Department of Justice. But if you have questions or problems, please do not hesitate to contact us at the numbers or addresses provided on the inside back cover.

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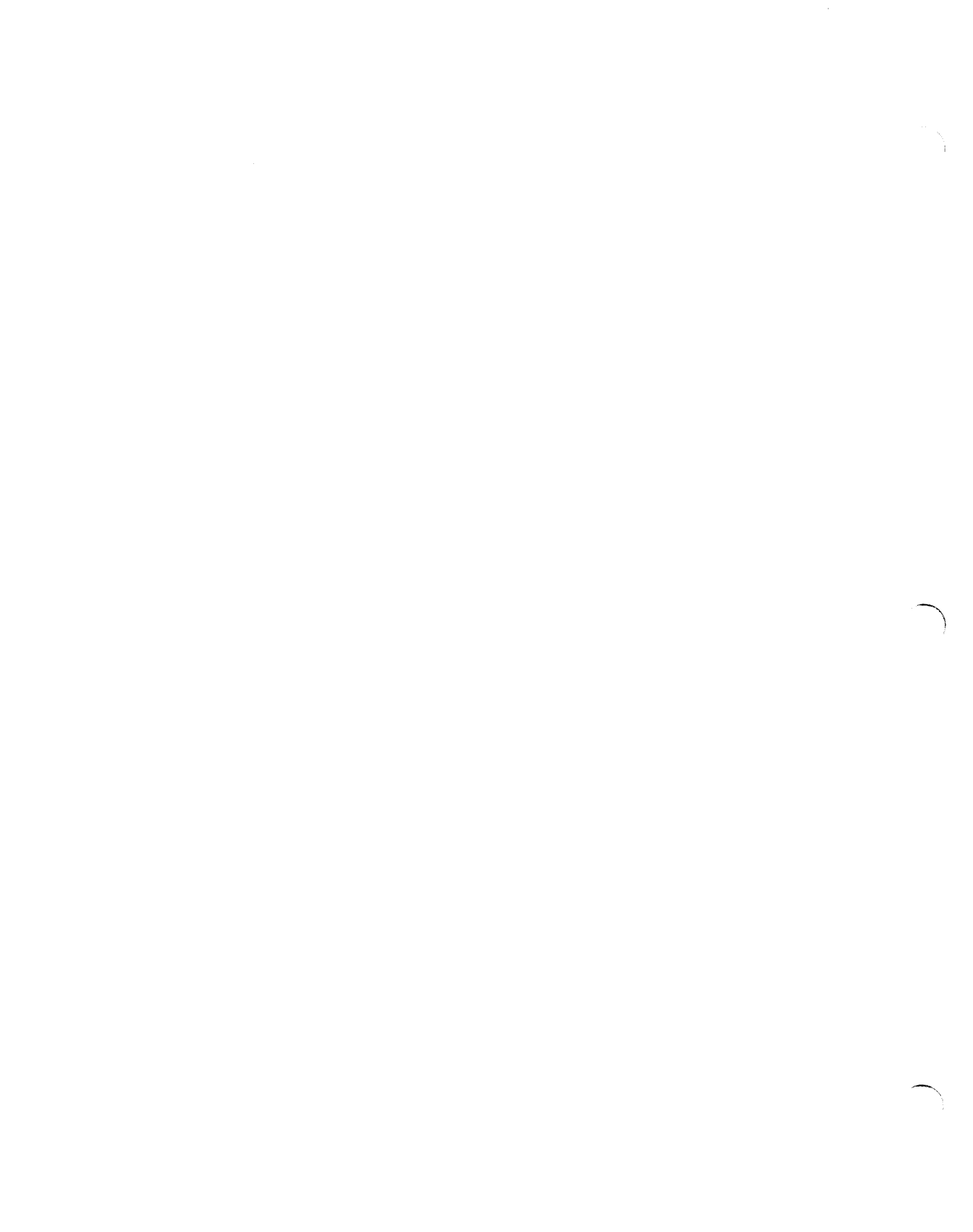
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1995-1996**

Chapter 1

Introduction



Chapter 1

Introduction

This document is a report from the Federal Election Commission's Office of Election Administration to State and local election officials on problems and solutions in implementing the National Voter Registration Act (NVRA) from 1995 through 1996. It is intended to serve both as an update to the FEC's guide to *Implementing the National Voter Registration Act of 1993: Requirements, Issues, Approaches, and Examples* and as an expansion on the FEC's report to the Congress on *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 1995-1996*.

At the outset, we would like to salute the thousands of State and local election officials throughout the country whose devotion and hard work resulted in so successful an implementation of the NVRA in so short a time. Change is never easy. It causes more work, disrupts comfortable routines, and sometimes forces us to view our duties in a different way. That so many thousands of election officials proved equal to the task is a testament to their positive attitude and dedicated professionalism.

Coverage

The NVRA covers 44 States and the District of Columbia. (NOTE: In the text, we often refer to the 45 covered States just to simplify the language). Six States -- Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin, and Wyoming -- are exempt from the Act.

The contents of this report are based on survey results from 43 States and the District of Columbia conducted from January through March of 1997. The vast majority of States were very cooperative in providing the information requested in our survey -- although there were some complaints about the reporting requirements coming mostly from small, uncomputerized local registration offices. It should be noted that the State of Vermont did not respond to the survey because they had not yet implemented the NVRA, while the State of California declined to respond to the battery of questions about how that State went about implementing the Act. This results in some

unavoidable curiosities when we report the number of States that did this and the number of States that did that.

Statistical Results

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

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

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

- There were, in total, 41,474,428 registration applications or transactions processed nationwide.
- About two thirds or 26,075,055 represented new transactions
- There was a 5.2% rate of duplicates.
- About one third of the total transactions, or 15,399 ,373, represented changes of name and address.
- A total of 8,723,301 names were deleted from the registration lists under the new lists verification procedures of the law, while another 7,083,794 registrants were declared "inactive" and will be removed after 1998 if they fail to vote in that election.

(NOTE: Some of the figures in the above listing are at slight variance with those in our report to the Congress owing to subsequent corrections from the States or to typos in the earlier figures).

In sum, the report finds that voter registration in States covered by the NVRA rose in 1996 by 1.82 percentage points -- or some 3,390,000 people --

over 1992, the previous comparable election.¹ It should be noted, however, that the NVRA was in effect for only 22 months or less in the covered States.

State by State figures are provided in Appendices B and C of this report.

Highlights of this Report

Motor Voter Registration

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

Mail Registration

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

Agency Registration

Figures provided by forty-one (41) States indicate that over 24,600 separate sites provided agency voter registration opportunities to their clientele during the period covered by this report. Applications received at all

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

agency sites combined represented 11.12% of the total number of registration applications in the United States. Public assistance agencies accounted for 6.33% of this figure; agencies designated by the States accounted for 4.18%; disability service agencies accounted for .43%; and armed forces recruitment offices accounted for .18%.

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

List Maintenance

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

Fail-safe Provisions

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

FEC Recommendations

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

- that States which do not require all or part of the applicant's social security number voluntarily (1) amend their election codes to require only the last four digits from all new voter registration applicants, and (2)

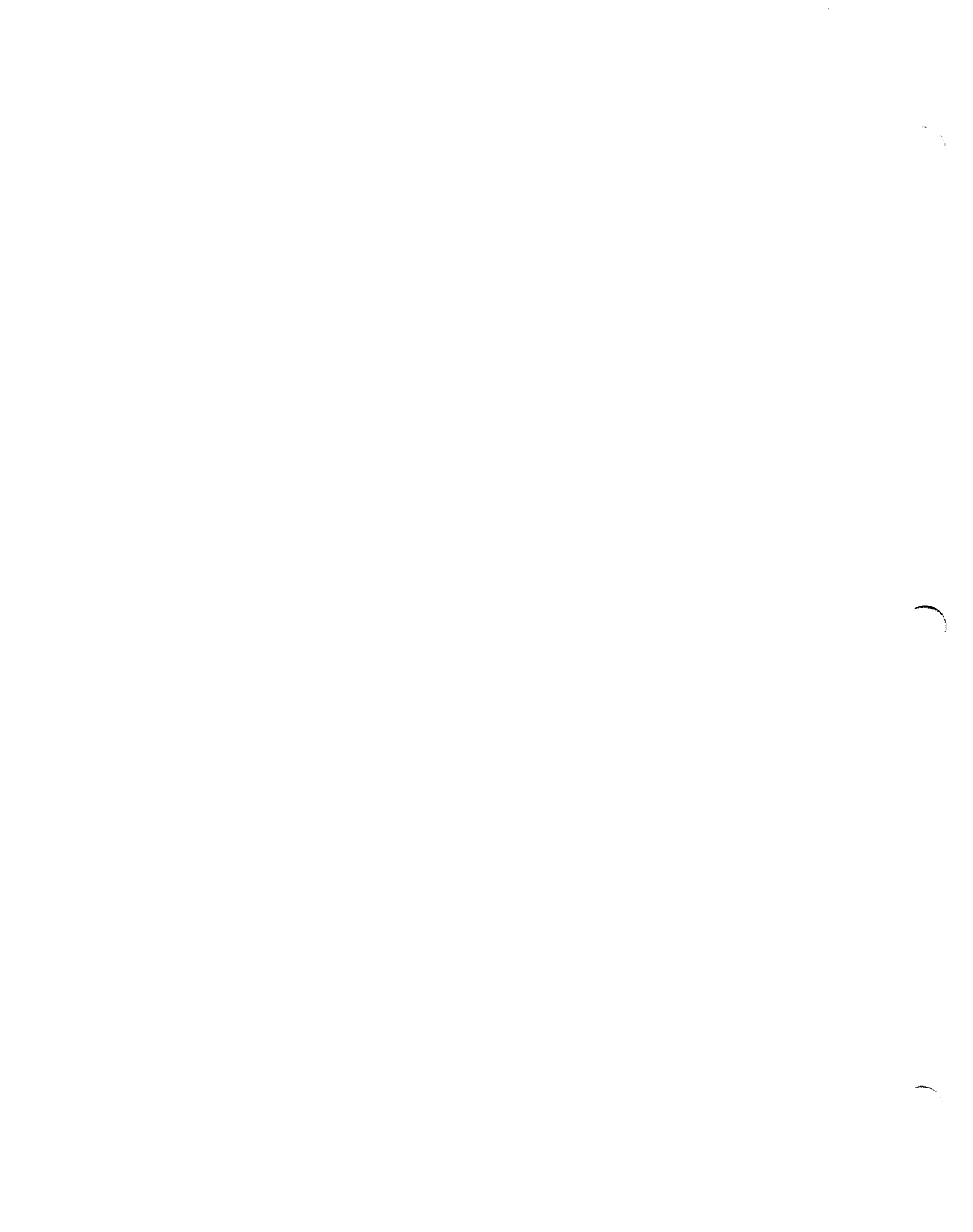
endeavor to obtain that same item of information from all current registered voters;

- that States which have not yet done so voluntarily (1) develop and implement a statewide computerized voter registration database; (2) ensure that all local registration offices are computerized; and (3) link their statewide computerized system, where feasible, with the computerized systems of the collateral public agencies relevant to the NVRA (motor vehicle offices, public assistance offices, etc.); and
- that the U.S. Postal Service (1) create a new class of mail for “official election material” that encompasses all mail items requisite to the NVRA and provide the most favorable reduced rates affordable for the first class treatment of such mailings; and (2) provide space in their postal lobbies free of charge to State and local election officials for voter registration material.

The rationale for each of these recommendations is provided in Appendix A of this report.

Chapter 2

Problems and Solutions Regarding Motor Voter Registration



Chapter 2

Problems and Solutions Regarding Motor Voter Registration

A number of States reported similar problems with registration applications received from motor vehicle offices. These problems included illegible signatures, incomplete or inaccurate information, lost forms, and timeliness of transmittal. While election officials having experience with mail voter registration in their State prior to the NVRA are no strangers to incomplete or inaccurate information on voter registration applications, most States found that these problems, as well as any problems with lost or late arriving applications, have been solved to a reasonable degree by establishing an open avenue of communication between motor vehicle offices and election offices, and by periodic retraining of motor vehicle staff when and where necessary.

Other States have come up with additional solutions to handle these problems. Election officials in Delaware have set up formal problem discussion sessions with State motor vehicle representatives. In Hawaii, DMV license staff now take the time to review the registration forms with each applicant to insure all items are correctly completed. Indiana and Connecticut now have State Motor Vehicle NVRA Coordinators who notify and often visit local DMV sites when notified by State election officials of particular problems. To correct the problem of late transmittal of applications, Maryland has, in large jurisdictions, gone as far as stationing local election office employees in the DMV offices to collect registration applications.

A few States reported problems with individuals who showed up at the polling place on election day insisting that they had registered to vote with the State department of motor vehicles, but whose name was not listed on the voter registration rolls. Several States are currently using, or will shortly be using, a "fail-safe" procedure to alleviate these problems. The procedure requires that applicants be given a dated receipt at the motor vehicle office at the time that they complete a voter registration application. If the individuals present this receipt, dated before the close of registration, they are permitted to vote. Illinois also indicates that summary sheets will be sent to each local

election office listing the name and address of those registering through motor vehicle offices over a specified period of time. A copy will be signed by the election official and returned to the motor vehicle office noting any discrepancies.

The design of the voter registration form itself presented problems for a few States. Although the House Committee Report accompanying the NVRA and the experience of election officials in several States suggests that a combined driver's license/voter registration application form is more effective and cost efficient, Tennessee found the opposite to be true. When a combined form was used in Tennessee, election officials found that not only did applicants routinely fail to sign the voter registration portion of the form, but that the voter registration information itself did not transfer well from the original license form and could often not be read by election officials processing the applications.

The State of Virginia found that problems with underage applications, non-U.S. citizen applications, incomplete application information, and duplicate applications were directly linked to a poorly designed voter registration form. To correct these problems, the forms were redesigned to provide more understandable instructions, to indicate that applications from those under age 17 would not be processed, and to clarify that non-citizens should not sign the voter registration portion of the form.

Those States that have adopted fully automated motor voter registration systems have unanimously found that computerization made their system more efficient, and virtually eliminated problems with timely transmittal of forms.

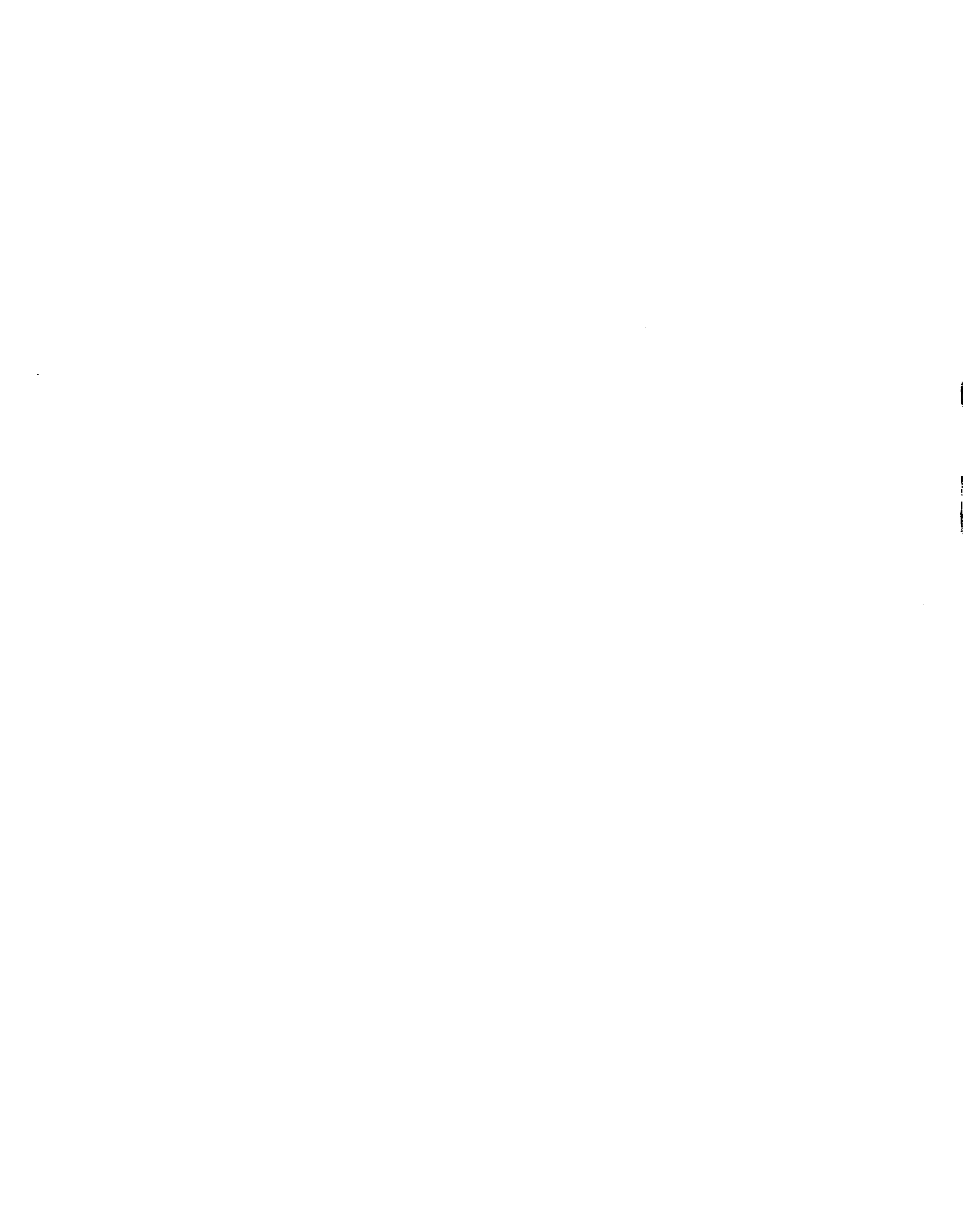
In Iowa, for example, voter applications are electronically recorded at all driver license examining stations across the State. At the close of business, each site electronically transmits a file of voter applications received that day to a central computer at the Department of Transportation. When data from all remote sites has been received, the central computer creates a file of voter applications and transmits the file to the main frame computer used by the State registrar of voters. The main frame creates individual files for each county for which applications have been received that day. County computers then dial-up the State computer and transfer those individual files. Using this process, the State reports that counties can usually retrieve registration applications received on a given day by 11:00pm the same day.

The State of Washington developed a system in which crucial data such as name, address, and date of birth is captured electronically from the drivers record. This method requires only the signature of the applicant to be obtained on the motor voter application form, saving processing time and eliminating duplication of effort.

In Massachusetts, their relatively new system has been designed to connect the DMV, Secretary of State, and 351 separate cities and towns. Voter registrations are processed daily, with digitized signatures captured and stored on computer tape. Changes of address are also processed in this manner.

Most States implementing motor voter for the first time after the passage of the NVRA met with at least a bit of resistance from State motor vehicle officials reluctant to take on new responsibilities. West Virginia election officials overcame this reluctance through the good fortune of having adequate financial resources to provide the DMV with an incentive to quickly and efficiently pursue the motor voter program. The West Virginia DMV receives \$1.00 for each completed voter registration sent to the Secretary of State out of the Secretary's budget. This reimbursement is done on a quarterly basis, and helps off-set DMV personnel costs associated with the NVRA.

Finally, evidence suggests that several States have yet to incorporate the provisions in Section 5(d) of the Act requiring that an individual be given the opportunity to notify the State department of motor vehicles if a change of address submitted to that office should *not* be used for voter registration purposes.



Chapter 3

Problems and Solutions Regarding Mail Registration



Chapter 3

Problems and Solutions Regarding Mail Registration

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

The mail registration provisions of the NVRA caused relatively few problems for the States and, as previously noted, accounted for nearly one third of all voter registration applications from 1995 through 1996. This general success of mail registration is traceable in part to the fact that 25 of the 43 States that responded to our survey had already implemented mail registration before the NVRA. Today, all 45 States covered by the NVRA have mail registration. Several of the States were, however, delayed in implementing it well past January of 1995 because of legislative, litigative, or printing problems (See Table 5 for implementation dates).

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

In addition, several national voter registration groups obtained copies of the national form from the FEC. Unfortunately, budgetary restrictions limited the supply of forms available from the FEC, and there were a number

of complaints on that score. The FEC also made the form available on its WEB site on the Internet so that it could be downloaded, completed, and mailed to one of the 23 States that will now accept paper reproductions of the form.

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

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

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

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

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

from delivering applications in bulk -- requiring applicants to submit them individually.

Some organizations were specifically criticized.

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

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

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

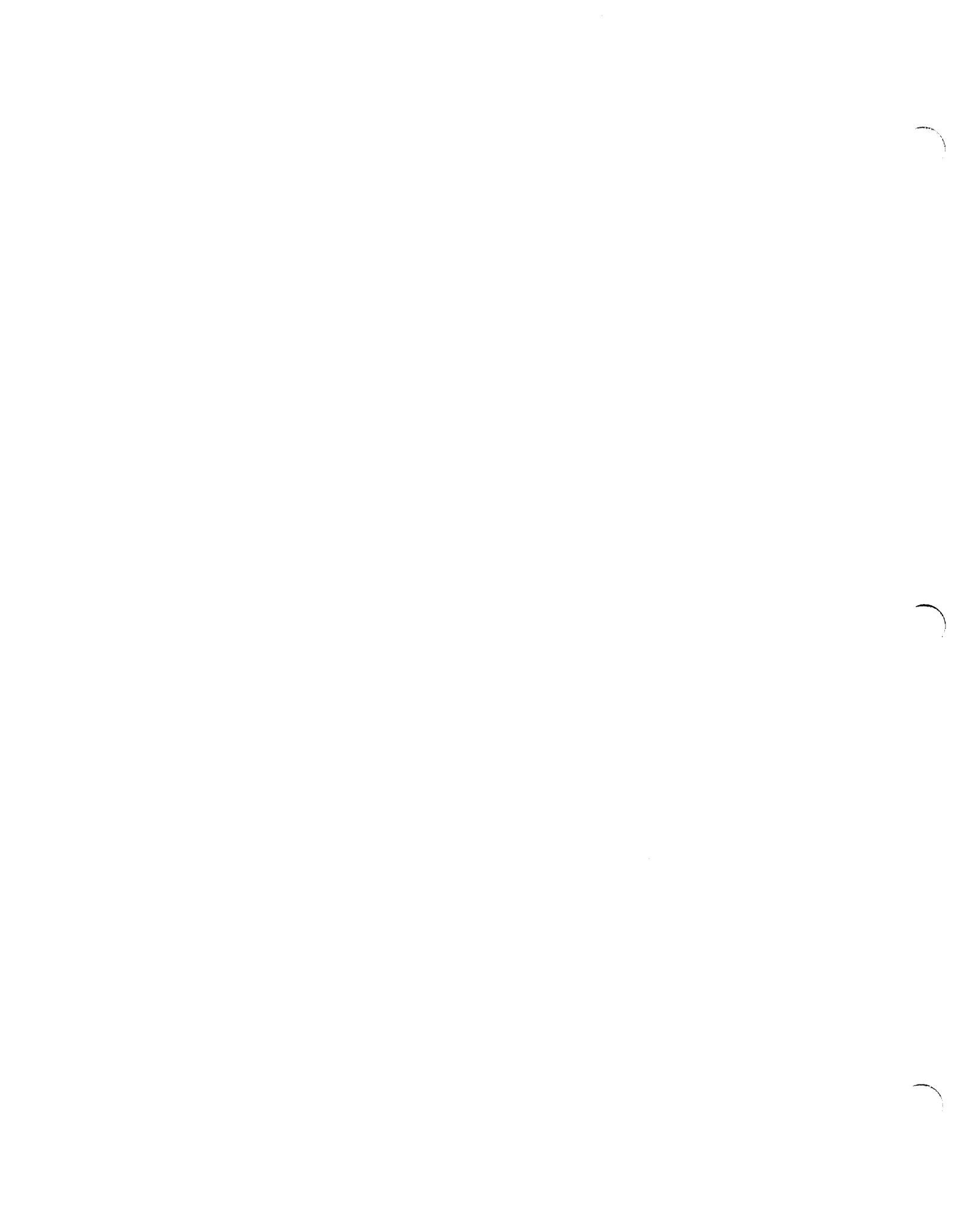
The United States Postal Service drew a surprising number of complaints. Eight (8) States specifically complained about the number of applications that were mangled by USPS equipment despite the fact that forms were designed in accordance with postal specifications. According to the Ohio Secretary of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

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

Finally, there was a scattering of complaints about inadequate addresses, misdirected applications, underage applicants, ineligible applicants, practical joke names, and the like. Yet on the whole, States seem to have had few difficulties in administering the mail registration provisions of the NVRA.

Chapter 4

Problems and Solutions Regarding Agency Registration



Chapter 4

Problems and Solutions Regarding Agency Registration

Given the number and diversity of public agencies conducting voter registration under the NVRA, States reported experiencing far fewer problems than were forecast for the Agency registration provisions of the NVRA.

Most of the reported problems appear to have come during the initial stages of implementation and centered on identifying participating entities (particularly disability agencies) the reluctance of agencies to assign additional tasks to already overworked caseworkers, and some resistance due to lack of funding.

As was the case in motor voter implementation, most States found that consistent, direct communication with agency management and staff proved to be the most valuable tool for problem solving. To facilitate such communication, the State of Connecticut hired two NVRA project coordinators to monitor and work directly with front line employees and management. These coordinators not only smoothed the path during implementation, but continue to assist agencies such as AFDC as it undergoes its reorganization into Temporary Assistance for Needy Families (TANF). Although established somewhat later due to litigation, the State of Virginia also established NVRA coordinator positions within each agency to serve as a liaison between the agency and the State Board of Elections. Like Connecticut, these coordinators are working to ensure that new or redesignated programs such as TANF are integrated into the voter registration process.

Apart from election official/agency communication, States reported that providing quality training to agency personnel in their new duties greatly assisted the development of agency voter registration programs. Training methods varied among, as well as within States but generally included a combination of lectures and discussion, the use of a training manual, and often some type of audio-visual presentation. 15 States reported employing State or local election officials to train agency personnel, 9 used agency management to train front line personnel, 17 States teamed election officials with agency representatives for these training sessions, and 2 States hired outside consultants to conduct training.

Live or taped video presentations were credited by several States as being quite effective training tools, which, if other State or in-house resources are used, can also be exceptionally cost effective. In Oklahoma for example, the State Department of Human Services allowed the State Election Board to use its satellite training network enabling the Board to efficiently deliver training to numerous sites statewide. During the telecast, the Board also set up a toll-free phone number over which participants could ask questions and receive direct answers from the trainers.

The New York State Board of Elections not only presents bi-annual regional training seminars to the staff of all agency voter registration sites in the State, but also held a 2 hour training teleconference downlinked to 28 locations throughout the State of New York. Videos of this teleconference were then distributed free of charge to all NVRA sites upon request.

Automating the Training Process

Although no State reported using automated training programs during 1995-1996, those States which have extensive computer technology in place in either motor vehicle offices or in agencies providing voter registration services, may want to explore the advantages of interactive PC based training. Although not necessarily appropriate for all sites, such training has several advantages over more traditional methods:

- Computer training modules allow training to take place as needed, independent of when an instructor and a group of employees are available.
- Computer training allows flexibility. Staff members can control their own pace through the training program.
- IBM studies report that retention increases between 31-50% when interactive training materials (complete with sounds, graphics and other multi-media functions) are used compared to other traditional methods.
- Material presented is always consistent. Each person viewing the program sees and is told the same thing, removing the variable of different instructors presenting material different ways.
- Computer training modules can be programmed to measure employee progress by tracking test results as well as the speed of interaction with the program.
- The content of a course presented by computer can be legally verified if necessary, with electronic records showing exactly what materials were presented to employees in a particular training session. Staff members interactive responses can also be captured and documented.

While interactive computer training does cost more in initial development than other traditional classroom methods, most organizations conducting ongoing employee training can realize significant long-term savings. Once a training module is developed, it can be presented 10 or 10,000 times with little additional cost. Employees are trained on-site so travel costs are eliminated for trainers and/or employees. Staff members can also go back and review course material as needed at no extra cost.

The use of video training, while initially effective, may also provide a solution to those States reporting problems scheduling adequate training time, and finding trainers for new personnel in agencies with significant staff turnover.

Computerization has, albeit on a smaller scale, played as significant a role in the development of successful agency voter registration programs as it has in the development of successful motor voter programs.

The New York State Board of Elections reports that much of the success of their agency program is due to the development of an extensive NVRA database. The New York database contains all agency site information, tracks site supply order and shipping histories, and stores all voter registration, declination, and other statistics. Data is entered into by State board of Election staff and allows State election officials to keep current on site information changes, and provides the capability to produce up-to-date statistical reports containing all data submitted by each participating site. These reports are forwarded on a monthly basis to the program coordinators of each participating agency for their review and appropriate follow-up with their respective sites.

Guilford County, North Carolina (population 375,000) gave on-line voter registration capability to the majority of offices in the Departments of Social Services, Health, and Mental Health. During the first year of on-line service, 81% of the agency's transactions were executed on-line. While some initial errors were made by agency personnel, the elections office use of ID numbers enabled them to identify the individual employee committing the errors and provide the individual with additional procedural clarification or training. Since all changes to a voters registration information were logged as "history" transactions in the computer system, the integrity of the voting records was maintained. The on-line system provided additional savings and quality improvement by reducing the number of duplicate registrations. Agency personnel were immediately able to check the voter files any time a person requested to register or make a change in registration information. If the voter was already registered and the record on file was current, no further action was necessary. During the first year Guilford County election officials received only 18 duplicate registrations from these agencies, 13 of which came in the first quarter of the year. *All* of these duplicates came from agency transactions *not* executed on-line. Election officials also found that information on registration forms forwarded by these agencies was generally complete since the computer program required specific information fields to be completed before moving on to the next field. County election officials indicate that significant additional savings could be realized if State law were changed to allow direct electronic transmittal of the voter registration applications.

In Pennsylvania, where the county offices of the Department of Public Welfare are computerized, State election officials worked with agency officials to modify the software used in the counties so that the computers will now *not allow* the caseworker to exit the client screen until he/she verifies that the opportunity to register to vote has been provided.

Several States reported that identifying the various offices and agencies providing services to the disabled posed significant difficulties.

Unfortunately, there does not seem to be one convenient contact or listing within each State providing this service. There are, however, a number of organizations which should be contacted to insure that all relevant disability service providers are included in the voter registration process. Governmental organizations include:

- The President's Committee on Employment of People with Disabilities
- The Civil Rights Division of the U.S. Department of Justice (Responsible for enforcement not only of the NVRA, but also of the Americans with Disabilities Act [ADA])
- Your Governor's designee on the ADA
- Your State Developmental Disabilities Council
- Your Governor's Committee on Disabilities
- Your State Independent Living Council
- Your State Section 504 Coordinator (Referring to Section 504 of the Rehabilitation Act of 1973 which guarantees the principals of nondiscrimination towards the disabled in programs or activities receiving federal financial assistance)
- Your transportation department's ADA Paratransit Program
- Offices on Mental Retardation
- Offices on Mental Health
- Substance Abuse Offices
- (State agencies such as the Department of Aging and Department of Education may also operate or fund programs primarily engaged in serving persons with disabilities)

Some important non-governmental organizations include:

- The National Organization on Disabilities
(202) 293-5960, TDD (202) 293-5968
- The United Cerebral Palsy Association
(202) 776-0406, TTY (202) 973-7197
- The National Arts and Disabilities Center
(310) 794-1141

- The Arc (Formerly the Association of Retarded Citizens of the U.S..
Provides services to those with developmental disabilities)
(817) 261-6003, TDD (817) 277-0553
- Disabled American Veterans
(606) 441-7300
- The Paralyzed Veterans of America (PVA)
(202) 872-1300
- National Institute for Disability and Rehabilitative Research
(202) 732-1134
- American Foundation for the Blind
(212) 620-2000

Several States planned for the success of their agency voter registration program by building into the process a number of quality control procedures.

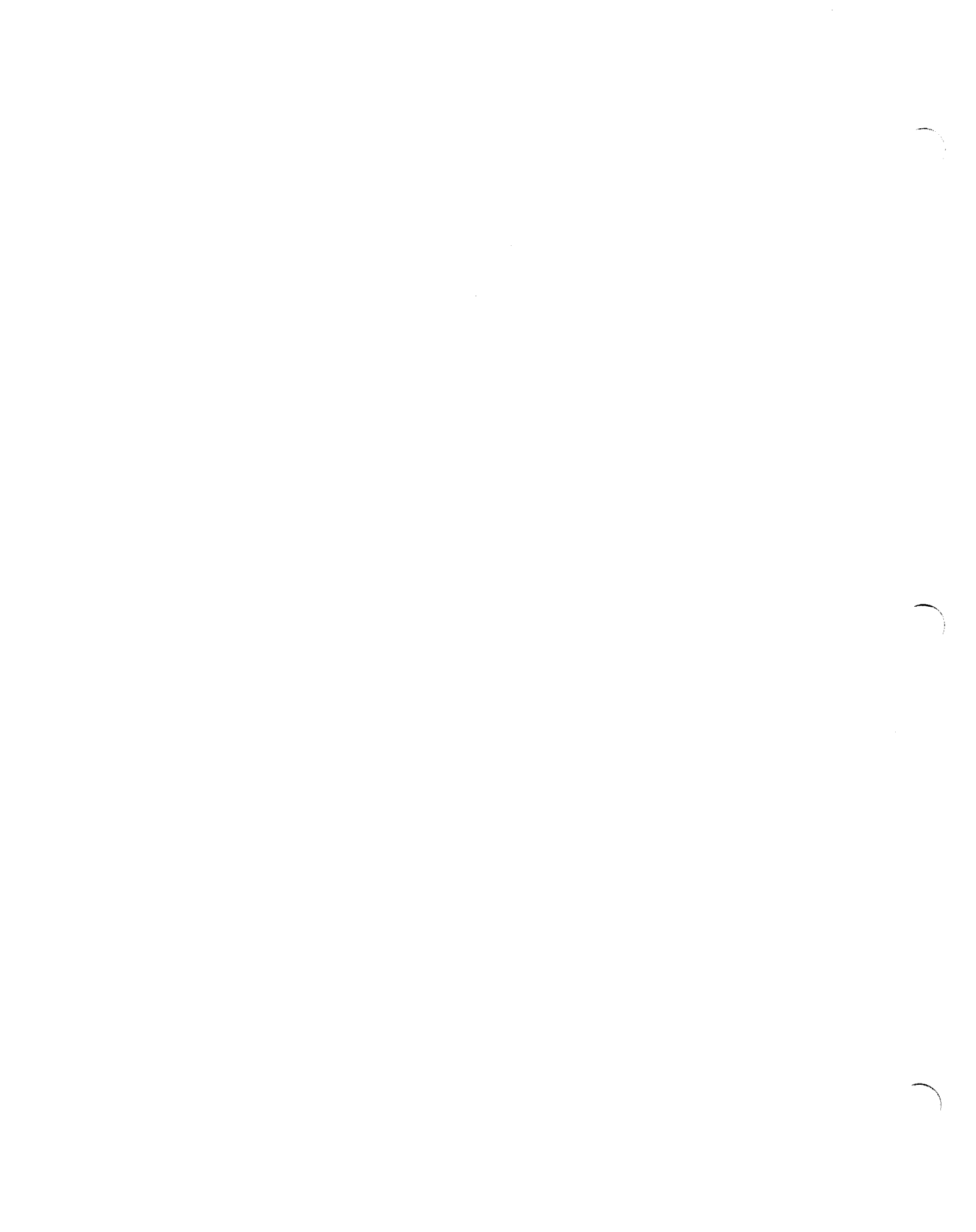
Oregon developed a system which would not only count the number of registration applications generated by each agency site, but would also audit the effectiveness of their participation in the program. Each agency site was required to not only transmit completed voter registration cards to the appropriate county election official, but to also concurrently send a completed scannable report to the Secretary of State indicating the number of registration cards sent to each county.

In Hawaii, when an agency contacts the State office of elections requesting additional voter registration forms, the State takes the time to confirm the procedures being used by the agency to ensure that the requirements of the NVRA are being met accurately. In addition, the State conducts quarterly checks with *all* agencies to review procedures and update inventory. The State of Delaware uses a similar system of spot inspections of agency sites to assure NVRA compliance.

Finally, the District of Columbia has found that printing special codes on each agency application provides a reliable means of identifying the origin of the registration form to assist in identifying those sites where problems may be occurring.

Chapter 5

Problems and Solutions Regarding List Maintenance



CHAPTER 5

PROBLEMS AND SOLUTIONS REGARDING LIST MAINTENANCE

One of the goals of the NVRA, according to accompanying House and Senate committee reports, is to ensure that once citizens are registered to vote, they remain on the voting list as long as they remain eligible to vote in the same jurisdiction. Another purpose of the law, stated in the NVRA itself, is to ensure that accurate and current voter registration rolls are maintained in a uniform and nondiscriminatory manner.

Prior to implementing the NVRA, local jurisdictions in most States relied on the removal of those who failed to vote as the primary method of keeping voter registration lists up-to-date. Under the Act, this procedure could no longer be used; many States had to develop other methods to identify and remove those who had died or moved as well as those who, in accordance with State law, had their right to vote rescinded due to criminal conviction or declaration of mental incompetence.

The list maintenance provisions of the NVRA drew the most comments and suggestions from States on the implementation of the Act in 1995-1996. Two States reported that the NVRA provisions are helping them to maintain more up-to-date lists. And anecdotal evidence from election officials around the country suggests that at least some of the NVRA's list maintenance requirements (such as address updates from the motor vehicle departments) have assisted in maintaining more accurate registries.

Twenty-six of the forty-five covered States, however, reported several challenges in keeping their voter registration lists up-to-date. Their comments and some of their solutions are discussed below. The attached table summarizes the list maintenance problems, current solutions, and proposed solutions reported by the States in response to this year's FEC survey of the States, along with the number of States reporting each problem or solution.

Some of the challenges cited by the States directly relate to implementing the NVRA. Several others existed prior to implementation of the NVRA, but are discussed because they relate to the Act's stated goal of ensuring accurate and current voter registries. Their reported concerns fell into the following categories:

- Issues related to the U.S. Postal Service;
- Managing inflated voter registration lists;
- Compensating for omissions of previous registration information;
- Dealing with persons registered more than once;
- Combating ineligible persons becoming registered;
- Addressing increased citizen complaints; and
- Confronting other costs and complexities of list maintenance.

In addition, the reports and materials submitted by the States revealed one other problem area that should be of concern to the States: ensuring the State's list maintenance program meets the requirements of the NVRA.

Some of the reported or proposed solutions appear to require only administrative action by State or local officials, or a federal agency to implement. Others, if they are deemed worthy, may require federal legislation to implement. The discussion of administrative solutions to these problems areas is followed by a discussion of proposed solutions that may require Congressional intervention.

Issues Related to the U.S. Postal Service

One of the two most common problems reported by the States in maintaining their voter registration lists involved the following aspects of postal service:

- Postage costs;
- Incorrect, out of date, or unusable National Change of Address (NCOA) information;
- Forwardable notices not forwarded because forwarding order has expired;
- Processing errors; and
- Inconsistencies in United States Postal Service (USPS) policies and practices.

Reports from the States suggested some approaches to alleviate problems with the high costs of mailings and the USPS National Change of Address (NCOA) program. Election officials may want to explore the costs and benefits of these approaches to determine if they might benefit their own jurisdictions.

Furthermore, while election officials cannot resolve some of the problems mentioned without the cooperation of their local post office, the USPS has launched a national effort to explain postal service policies and procedures to election officials and to facilitate the resolution of problems. This effort is described in more detail below.

Confronting Mailing Costs

A small number of States stressed the high cost of the mailings required under NVRA; however, verbal comments from State and local election officials suggest this is a problem in many, if not all, States. The sponsors of the NVRA intended election officials to have access to reduced rates for such mailings, yet the USPS continues to require adherence to volume, presort, and other requirements to maintain worksharing discounts for postage. Consequently, the vast majority of election jurisdictions have not been able to take advantage of reduced postal rates for many of their NVRA-related mailings.

Election officials expressed their support for lower or no-cost postage with first class service for official election mailings in their responses to the 1997 NVRA survey of the States. The FEC, therefore, included a recommendation for reduced postal rates with First-Class service for NVRA-related mailings in its 1997 report to Congress entitled *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office, 1995-1996*. (See Appendix A for the complete recommendation and supporting arguments).

Absent action on this recommendation, election officials must look elsewhere for cost savings. Current solutions reported by States include: (1) New York's purchase of a bulk mailing permit for use by local jurisdictions, (2) batching confirmation mailings to utilize reduced postal rates in Alabama, New Jersey, and Virginia, and (3) targeting mailings to certain registrants.

Using Reduced Postage Rates

Using a State-purchased bulk mailing permit reportedly can benefit large jurisdictions, although not necessarily small or even medium-sized jurisdictions. Batch mailing notices to take advantage of discounted Standard (A) non-profit and First Class postage rates also benefits the small number of large jurisdictions more frequently than the much more numerous small or medium-sized jurisdictions. This is due to the volume required, as well as the fact that some communities found the presorting required by the USPS actually increased their on-site costs.

Election officials must apply to the U.S. Postal Service for discount rates on election mailings. Batched outgoing letter and flat election mailings may qualify for discount *First-Class Mail* postage rates if:

- there are 500 pieces of identical items;
- they are formatted properly;
- they are presorted in accordance with postal standards;
- they are delivered to the appropriate postal site;
- the appropriate service fee has been paid to the appropriate post office; and

- the sender's mailing lists are updated every 180 days (six months) using one of four USPS approved procedures.¹

The reduced, non-profit *Standard (A)* rates available to election offices for batched NVRA mailings or other election mailings presented for automated discounts also require pre-approval, a certain volume of identical pieces (200 pieces or 50 pounds), presorting, and delivery to a designated postal site. Furthermore, they buy only Standard (A) service, which means:

- delivery may not be speedy because Standard (A) mail follows specific delivery requirements, which are not expedited;
- the election office has to pay either return postage or a weighted fee on all mailpieces returned; and
- the Postal Service will neither return or forward mailpieces nor provide separate notification of address changes if no postal endorsement has been placed on the mailing.

Some election officials reported that they worked closely with their local post office to ensure that election materials mailed using Standard (A) postage rates were processed promptly. In addition, USPS recently introduced an Official Election Mail Logo that can be used on envelopes, postcards, and mail pallets to forewarn postal workers that the mail needs immediate attention. Such efforts can alleviate delivery delays when using Standard (A) postage rates.

Some election offices, however, may find Standard (A) rates useful for mailing batched election materials only when expeditious processing is not important and the estimated cost of returns or address corrections is not expected to equal or exceed the price of mailing First Class. Otherwise, the election office may find it more expedient to pay First Class postage and use a postal endorsement that provides free returns and address updates (i.e., "Return Service Requested" or "Forwarding Service Requested"). Election officials need to meet with their local USPS representatives to calculate which classes of postage would be most beneficial for their various election mailings.

Batching Mail Items

One possible solution to the problem of insufficient volume to qualify for discount postage rates is to follow the examples of States such as Alabama,

¹ Regarding the Move Update Requirement for First-Class Mail, USPS personnel reported that updates from the previous six month cycle may be used during the first 90 days of the next cycle and still qualify for the discount. This is important because during a Presidential election year the majority of States may not be able to update the addresses on their voter registration lists every six months or so without running afoul of the NVRA requirement that list maintenance programs be completed no less than 90 days before an election.

New Jersey, and Virginia. Alabama mailed nonforwardable notices in a batch to all registrants in an effort to identify those who may have moved. In New Jersey, confirmation notices were mailed in batches to registrants targeted for sample ballots that had been returned. Virginia, which has a statewide computerized voter registration database, was able to generate confirmation mailings at the State level after a comparison of the statewide data with NCOA information. The State mailed all the confirmation notices together to take advantage of reduced postage rates.

State or local election officials can eliminate the need for manual sorting by using an automated local government or commercial mailing facility, or by employing software available to presort mailings in accordance with USPS requirements. Using government or commercial mailing houses can also help in the production of automated mail, which can qualify for additional discounts. Medium and small jurisdictions might want to explore the feasibility and cost effectiveness of coordinating mailings with neighboring jurisdictions and sharing the costs of a private or governmental mailing house.

Targeting Mailings

Over one third of the States save some mailing costs by targeting the *nonforwardable* notices they use to verify residence, instead of sending notices to all registrants. Registrants usually are targeted for recently submitting a voter registration application (i.e., a nonforwardable acknowledgment notice is sent in response to a voter registration application). Others are targeted to receive a nonforwardable notice if they have failed to vote or failed to maintain contact over a period of time.² Targeting the appropriate *forwardable* confirmation notice to registrants whose election mailings have been returned or who have been identified through the NCOA program as having a possible change of address is also acceptable under the NVRA.

Targeting mailings is less expensive than sending notices to all registrants. It also is helpful in identifying some of the people whose names should be removed from the registry, but it will not identify all of them. An attempt to verify the entire list still should be conducted periodically (i.e., NCOA comparison, non-forwardable mailing to all registrants, or door-to-door canvass) and election officials should continue to obtain and use information on

² The permissibility of sending a nonforwardable notice based on failure to vote was addressed by a federal court in Wilson v. United States, Nos. C 95-20042 JW and C 94-20860 JW (ND Cal. Nov. 2, 1995). The court held that California's practice of sending a nonforwardable residency confirmation notice to those who had failed to vote over a specific period of time, followed by a forwardable confirmation notice to registrants whose residency confirmation was returned undeliverable, did not violate the NVRA. The court concluded that the procedure was not a non-voting purge because forwardable confirmation notices were sent only after information was received that the voter residency confirmation was undeliverable. No further action was taken on registrants whose nonforwardable cards were not returned.

those who have died and those who should be removed under State law because of a criminal conviction or declaration of mental incompetence.

Using the National Change of Address Program (NCOA)

More than a quarter of the States covered by the NVRA reported problems related to using the U.S. Postal Service's National Change Of Address (NCOA) program. These States indicated that there were a high number of out of date or incorrect addresses, and business or post office box addresses that cannot be used for voter registration purposes.

The NCOA program can only provide the mailing addresses reported by individuals. Some movers do not report their change of address; others prefer to use a convenience address such as a post office box. Furthermore, if the person filing the Change of Address Form fails to check either the "individual" or "family" box, the move will be recorded as a family move.

Within the past two years, the Postal Service has implemented programs to improve the accuracy of their change of address information. First, a Move Validation Letter (which does not contain the new address information) is sent to the old address and indicates that an address change order for an individual or family has been received by USPS. This generally arrives at the old address within three to four days of the order being entered into the forwarding system. Instructions are provided to call or contact the local post office to make corrections if the recipient believes the address change has been entered in error, including misspellings. Second, a Confirmation Notice Letter is sent to the new address and contains the old and new mailing address, as well as information about the local post office, motor vehicle facilities, and voter registration office. This letter should arrive at the new address within five to six days of the address being entered into the forwarding system and provides another opportunity to correct any address change errors.

Nevertheless, the change of address information does contain some errors, out of date information, and addresses that cannot be used for voting residence address. Election officials in a couple of States reported that their solution is to find an alternative to using the NCOA program. Another State, Kentucky, which pioneered the use of NCOA as a list maintenance tool, did not use it in the last two years. A Kentucky State election official noted that address changes from the motor vehicle offices were more accurate and timely. This official reported that the State may make limited use of the NCOA program in the future, but will request only "exact matches". Other States reported using the following to alleviate some of the problems:

- mailing confirmation notices to both the old address in the registry and the new address provided by USPS;
- telling the NCOA licensee to use only the “Individual Move Rules”;
- using a program that excludes changes to “convenience” addresses, P.O. box numbers, and business addresses;
- allowing local election officials to ignore NCOA information when they have received more recent or contradictory information from a reliable source (e.g., State motor vehicle office or cancellation of previous registration from another election official with whom the registrant has recently registered); and
- setting a shorter time frame for the use of NCOA addresses to correct for outdated addresses.

In addition, Iowa proposed that USPS add a question to its Change of Address Form to clarify if persons want the change to affect their voter registration.

Requesting “Exact Matches”

Telling the NCOA licensee to use only “exact matches” can help to avoid the likelihood of incorrectly updating a registrant’s address and unnecessarily sending a confirmation notice. Unfortunately, the process may fail to identify some registrants whose moves have been reported using a variation on their name or as part of a family move reported by another family member. This shortcoming can be overcome by using a program that provides a separate printout of the other possible movers without automatically changing the address in the voter registration file. The election official, then, can review the printout and take further action, as needed.

Mailing to Both Old and New Addresses

The option of mailing to both old and new addresses means higher mailing costs, but it also increases the likelihood that the registrant will receive at least one of the notices. Nine States currently mail to both addresses. Eight others report that their election officials mail to the new address first, then the old address if the first notice is returned undeliverable, which is a less expensive option. The latter approach would be less likely to ensure the voter receives the notice, however, because the mail carrier is likely to deliver the notice to the new address even when the addressee does not live there (unless an address correction is on file). States may want to analyze the accuracy of USPS information and delivery in their community when deciding which of two addresses should be used for confirmation mailings.

Requesting “Individual Move Rules”

Telling the NCOA licensee to use only the “Individual Move Rules” helps to avoid the false reports of household moves when only one person has moved.

Unfortunately, it causes the match to miss the movers included in the “Family Moves”, which includes both those who marked “family” on their change of address card and those who failed to mark either “family” or “individual”. One possible solution to this problem is to use a program that also would produce a list, based on “Family Moves”, of other possible movers. The election official can review this list and take appropriate action before changing the registration addresses for those possible movers. Election officials considering this approach need to carefully weigh its costs and benefits.

Ignoring “Convenience Addresses”

Using a program that ignores “convenience addresses” appears to have definite advantages, but could also miss indicators that a person’s residence address also may have changed. Some election officials avoided this problem by using a program that provided a printout of such addresses but did not automatically change the registration file for those names. The election official reviewed the printout and decided what, if any, further action was necessary.

Comparing Records

It is sensible to permit local election officials to ignore NCOA information when they have received contradictory, more recent information from a reliable source (e.g., State motor vehicle office or cancellation of previous registration from another election official with whom the registrant has recently registered). Some election officials have required their NCOA licensee to use computer programs that ignore USPS change of address information for a registrant when the date of the change is prior to the date of the last address update on the registration file. Using such software, addresses on the voter registration file that have a more current transaction date than the NCOA information are not automatically updated with NCOA information.

Timeframe for Using NCOA Information

It is important to avoid delay in using NCOA address information to reduce the likelihood of using already outdated addresses. The frequency that the NCOA program is used can also have a direct impact on the usefulness of the information, especially if the election official uses only the old address for the forwardable confirmation notice. The NCOA program maintains changes of address for 36 months; however, the local post office will forward correspondence for only 12 months after the address change was filed and will return the correspondence with an address correction for only another 6 months.

State and local officials may want to consider whether or not to employ software that looks at transaction dates or to retain the records of list maintenance efforts using NCOA within the past *three* years. Some persons who have not moved may be repeatedly identified as registrants who have moved over the course of a three year period. Using software that will not accept address

updates for NCOA transaction dates that are prior to those on the voter registration record can help to eliminate repeated consideration of these individuals. Alternatively, maintaining records of NCOA comparisons during the last three years should help to identify corrections previously noted to USPS information in the event the same incorrect information is reported in a subsequent comparison. While this may require some election officials to maintain such list maintenance documentation beyond the statutorily required period of two years, the information can help them avoid sending redundant confirmation notices to registrants who have not moved.

Iowa's Proposal

Election officials should consider whether or not to approach the U.S. Postal Service in support of Iowa's proposal to have a question added to the national Change of Address Form. Iowa suggested adding the following: "Do you want this change of address to affect your voter registration? Y or N". The State indicated that responses to this question could be included in a currently unused byte of the NCOA record and provided to NCOA licensees. The State contended that this approach would help eliminate many existing problems with temporary mailing addresses and convenience mailing addresses (e.g., mail forwarding services, P.O. Box numbers, business addresses).

Iowa also suggested that it might be possible to arrange funding to defray the additional expense in data capture. While obtaining this information could help election officials avoid sending confirmation notices to those who have not changed their voting residence (e.g., students and military persons temporarily away from home), the issue of how to finance USPS processing of the information remains to be addressed.

Regarding Expired Forwarding Orders

A couple of States noted that election mailings were being returned to the election office due to expired forwarding orders. They noted that it was futile in such cases to send a forwardable notice to the old address in hopes that it would be forwarded to the new address.

The Postal Service stops forwarding mail after 12 months. For another 6 months, USPS will return mail with an address correction. The Postal Service reports that, given the volume of changes of address filed, it is not economically feasible to maintain forwarding information at the local post offices for longer periods of time.

The only solutions for communities that find this to be a common problem are to: (1) obtain USPS change of address information for all registrants more often; and (2) send the forwardable confirmation notice to the new address that

was provided by the Postal Service (perhaps as well as the old address). Most election offices can best accomplish the former by using one of the following USPS services at least annually:

- The NCOA program;
- The Address Change Service; or
- The Ancillary Service Endorsements.³

The NCOA service currently is provided by 24 corporations licensed by USPS and can be used by customers with mainframe or microcomputer systems. The service electronically compares the voter registration files to the change of address information filed with the USPS over the last three years. Fees vary among the licensees, with the actual processing generally costing two to five dollars for 1,000 addresses after the cost of the initial set up and minimum. In its December 1997 *Mailers Companion*, the USPS notes that set up costs are less of an issue with the licensees that can work from diskette.⁴

The Address Change Service (ACS) provides change of address information via magnetic tape, diskette, or electronic data transmission for items mailed by the election office at a cost of \$.20 per piece. The mailpiece is not returned to the election office, but is disposed of by USPS. ACS minimizes the number of hard copy notices the election officials receive. This procedure does not apply to mailpieces with endorsements that direct the Postal Service not to forward the item, such as the "Return Service Requested" endorsement that might be used on a non-forwardable mailing in an effort to identify those who may have moved.

Ancillary Service Endorsements are phrases placed on the front of the mailing to request certain postal service. For First Class mailings, they include:

- *Address Service Requested*, which tells USPS -
 - for the first 12 months the change of address is on file, to forward the mailpiece at no charge, and provide a separate notice of new address for a set fee (\$.20 each for an electronic record and \$.50 each for a manual record);

³ It is necessary to update mailing addresses using sources of change of address information such as these every 180 days (6 months) to qualify for discount First-Class postage rates. The USPS recommends keeping returned mailpieces and correction notices on file in case proof is requested that the move update standards have been met.

⁴ The list of current NCOA licensed vendors is available on the World Wide Web along with notations of which provide diskette processing (<http://www.usps.gov/ncsc/services/>), or by contacting the NCOA department at the USPS National Customer Support Center at (800)238-3150.

- for months 13 through 18, to return the mailpiece with an address correction at no charge; and
- after month 18 or if undeliverable, to return the mailpiece with the reason for nondelivery.
- *Forwarding Service Requested*, which tells USPS -
 - for the first 12 months the change of address is on file, to forward the mailpiece at no charge;
 - for months 13 through 18, to return the mailpiece with an address correction at no charge; and
 - after month 18 or if undeliverable, to return the mailpiece with the reason for nondelivery at no charge.⁵
- *Return Service Requested*, which tells USPS to return the mailpiece with the new address or reason for nondelivery attached at no charge.
- *Change Service Requested*, which tells USPS to provide a separate notice of new address or reason for nondelivery at a set fee and dispose of the mailpiece.

Other fees apply if mailing Standard (A), depending on the service requested by the endorsement. USPS representatives report that First Class mail with no endorsement is treated the same as mail endorsed “Forwarding Service Requested”. Standard (A) mail with no endorsement is not forwarded or returned and the election official will not receive notification of address corrections.

Election officials having problems with expired forwarding orders can calculate the costs and benefits of each approach and determine what is best for their community.

Resolving Processing Problems

States reported a number of postal service processing problems, such as:

- failure to return nonforwardable notices to the election office when the registrant no longer lives at that address;
- notices returned as undeliverable when the addressee still lives at the address on the mailpiece;
- misdelivered mail;
- incorrect or unclear address corrections on returned mail; and
- mailing labels on returned mail marked so that the original addressee and address cannot be determined.

⁵ The December 1997 issue of the USPS *Mailers Companion* notes that this endorsement does not satisfy the move update requirement to maintain eligibility for discount First Class postage rates.

Some election officials complained that their local post office did not follow postal regulations when processing the mail.

One State reported, and anecdotal evidence from other States confirms, that some nonforwardable notices are not returned when the addressee no longer lives at the address on the notice. Some of these notices reportedly are delivered to the address on the notice; others reportedly are destroyed by the Postal Service. The failure to return nonforwardable notices (used by election officials to help identify those who may have moved) could be due to:

- errors by the election office (such as not using the proper endorsement on the mailing or failing to arrange to “buy back” those notices that cannot be delivered after mailing at reduced, non-profit rates);
- expired forwarding orders or the registrant’s failure to file a Change of Address Form with the Postal Service; or
- inconsistent postal service.

Election officials can best insure that nonforwardable mailings are returned by using the proper postal endorsement on the mailpiece and, if approved to use Standard (A) mailing rates, making prior arrangements with the Postal Service to pay for those returned. Even so, USPS representatives have explained that when there is no forwarding order on file at the local post office (either because the addressee did not file one or the forwarding order has expired), mail may be delivered to the address on the notice whether or not the addressee lives there. This can vary by community depending upon whether or not the mail carrier recognizes that the addressee does not live at the address on the notice, a more difficult task in densely populated areas. Communities having this problem should discuss the matter with their local USPS representatives to determine what is causing it and what, if anything, may be done to correct it.

A number of election officials also have complained about notices being returned as undeliverable when the addressee still lives there, notices being delivered to the wrong address, incorrect or unclear address corrections on returned mail, and mailing labels on returned mail marked so that the original addressee and address cannot be determined. In many instances, election officials can alleviate problems with misdelivered mail by ensuring that addresses are complete, correct, and formatted in accordance with USPS standards.⁶ Election officials can best address any remaining problems in face to face meetings between the election official and local USPS representatives.

⁶ Election officials can find guidelines for addressing mailpieces in USPS Publication 28, *Postal Addressing Standards*; Publication 221, *Addressing for Success*; and sections of the USPS Domestic Mail Manual (A010, A800, A810, A820, A830, and A840).

Some election officials found it helpful to educate postal workers on the election official's goals and objectives when problems with postal processing arose. Others have found it helpful to draw up written agreements with their post office. Still others reported that frequent meetings with their local USPS representatives have led to a very good working relationship, making it easier to resolve problems as they arise.

If available solutions are not subsequently implemented by local postal officials, election officials should seek assistance from a higher USPS authority.

Understanding Postal Service Policies and Practices

There was also a complaint about confusing inconsistencies in U.S. Postal Service policies and practices. Only one State officially reported this as a problem in response the 1997 NVRA survey, yet verbal and written comments received by the FEC on other occasions suggest that the problem is widespread. A number of efforts were initiated to address this problem at both the State and national level.

The Ohio Secretary of State and county Boards of Election participated in seminars with representatives of the USPS to identify the nature and source of problems and to try to find solutions. The New York State Board of Elections established an NVRA user group, including representatives of the USPS, that meets regularly and evaluate forms and processes.

The FEC obtained a contractor to produce a guide for election officials using the Postal Service. This information originally was to be published as one of the FEC's *Innovations in Election Administration* series. Subsequently, the FEC decided to merge this effort with the work of the Joint Election Officials Liaison Committee and U.S. Postal Service.

The Joint Election Officials Liaison Committee established a Postal Service Task Force. This task force determined that its goals were to: (1) develop a working relationship between the U.S. Postal Service and election officials; (2) design a recognizable symbol to use on all election-related mail; and (3) reduce the cost of election related mail. It has taken steps towards all three of its goals by working with USPS representatives to produce a guide for election officials and a logo that can help expedite the handling of official election mail.

The Postal Service took note of the frustrations of its election official customers. In an effort to remedy the problem, USPS:

- has trained their “Team of 50”, a special team of USPS support representatives assigned one to each State, to assist election officials in resolving postal problems;
- has produced a guide for election officials, in consultation with the Joint Election Officials Liaison Committee’s Postal Service Task Force, to explain postal policies and procedures relevant to election officials; and
- has created a logo for official election mailings to help postal workers identify and expedite them.

The guide for election officials is a “how to” kit, providing an overview of the postal services and postage rates available to election officials. It provides “Official Election Mail” tags featuring the new USPS logo for official election mailings and camera-ready copies of the logo for envelopes and post cards. It also identifies USPS forms, guides, standards, procedures, and officials that can help election officials expedite and reduce the cost of election mailings. The guide is published by USPS, which intends to distribute it to election officials around the country, and it should assist election officials in their dealings with their local post office. The Postal Service plans to update portions of this guide when postal rates, procedures, referenced personnel, and referenced guides change. Election officials are encouraged to provide feedback on the usefulness of the guide to their “Team of 50” representative.

Election officials also are encouraged to keep abreast of USPS practices that could affect their mailings. The Postal Service provides such information through its Rapid Information Bulletin Board System (RIBBS), which can be accessed on the World Wide Web (<http://ribbs.usps.gov>) or by calling (901)681-4534, and through its *Mailers Companion*. The *Mailers Companion* highlights new and current USPS policies, procedures, and prices. Subscriptions are available through the USPS website (<http://www.usps.gov>) or by contacting:

1-800-238-3150
MAILERS COMPANION
ADDRESS QUALITY
US POSTAL SERVICE
6060 PRIMACY PKWY STE 201
MEMPHIS TN 38188-0001

Managing Inflated Voter Registration Lists

The other most common challenge that States reported is managing inflated voter registration lists. Election officials expressed fear that this “deadwood” leaves the perception that voter fraud is possible and may actually

make it easier to commit, thereby reducing the public's confidence in the integrity of the election process.

Of course, inflated lists existed prior the NVRA for various reasons. At the 1997 Conference of the International Association of Clerks, Recorders, Election Officials, and Treasurers (IACREOT), Kimball Brace of Election Data Services disclosed that 218 counties reported having more than 100 percent of their voting age population registered in 1992. He stated that the same was reported in 136 counties for 1994. In 1996, the total was 219 counties.⁷ While some election officials reported that the NVRA requirements are helping them to maintain more up-to-date lists, others noted that the NVRA has prevented them from taking corrective action in their communities.

There are two factors contributing to what States currently identify as inflated lists:

- the number of “inactive” registrants that must be carried on registration lists for a certain period of time because they have neither responded to a forwardable confirmation notice nor offered to vote and affirmed their current address in the jurisdiction; and
- the number of *unidentified* registrants who have either moved away from the registrar's jurisdiction or have died.

States have also noted their concern about the adverse impact of inflated voter registration lists on voter turnout figures.

Maintaining “Inactive” Voters on the Registry

A number of States expressed concern over the response rate to the forwardable confirmation notices that can result in removal from the registry. The national average for such responses during 1995-1996 was less than 20 percent, with the response rates in individual States ranging from 2.98 percent (Kentucky) to 69.98 percent (Utah). Some failures to respond may be due to the postal problems mentioned above or to registrants finding the notices confusing. Ironically, some may be due to the success of list maintenance efforts to pinpoint those who *have* moved from the community. A few election officials reported that some failures to respond are verifiably due to individuals moving out of their jurisdiction.

While election officials can designate these individuals as “inactive”, they must retain them on the registration roles through two federal general elections (over two years) unless:

⁷ There are over 3,000 counties in the United States.

- the registrants affirm a current address within the jurisdiction when they appear to vote;
- the registrants confirm in writing they no longer live in the jurisdiction, or
- information from the office of motor vehicles or a cancellation notice from another election official indicates a change of address to a place outside of the registrar's jurisdiction.

The national percentage of "inactive" voters on the registry, in those States making that distinction, is 5 percent as of November 1996, with States reporting a range of .2 percent (Kentucky) to 18.52 percent (Colorado) of their total registry designated inactive. Numerous States reported that these figures may count frequent movers more than once because registration officials cannot identify them as the same person.

While many election officials assume that most "inactive" voters are people who have moved away; some unknown percentage likely remains eligible to vote in the jurisdiction. Some States reported a higher number of address transfers on election day 1996, suggesting that a number of movers (including those identified as "inactive") chose to report their new address on election day. Many communities acknowledge that the information provided on election day has been accepted by sending the voter a new voter registration card with the corrected information imprinted on it.

Election officials have used the following approaches to reduce the number of "inactive" voters:

- sending confirmation notices to both the address on file and the new address provided by the Postal Service to ensure that the voter receives at least one notice and to increase the chance for a response;
- conducting public information programs to encourage responses to confirmation mailings;
- using some form of statewide voter registration database to help identify those who have subsequently registered in another jurisdiction in the State;
- requesting or requiring all or a portion of the social security number from registrants to help identify the "inactive" registrants who may have subsequently registered at a different address within or outside of the registrar's jurisdiction;
- using changes of address from motor vehicle offices and agencies to update addresses of those who have moved within and delete those who have left the jurisdiction; and
- using cancellation notices from other election officials to delete registrants who have subsequently registered to vote in another jurisdiction.

Mailing to Both Old and New Addresses

The advantages and disadvantages to sending the confirmation notice to both addresses, when the old registration address and a new address provided by USPS are available, were discussed under above under *The National Change of Address Program*.

Conducting Public Information Programs

Local election officials in two Illinois communities have reported good results from the public information programs they implemented when conducting their list maintenance programs. One election official in Ogle County, Illinois, encouraged responses by emphasizing how up-to-date voter registrations lists help save taxpayer money. Another official in East St. Louis, Illinois, used community businesses, non-partisan public interest organizations, and religious groups to spread the word on efforts to update the registry and also produced a video to promote the list verification program.

Developing a Statewide Voter Registration Database

A statewide voter registration database is also very helpful in the war against inflated voter registration files. Statistics show that most people who move, do not move out of their State.⁸ The statewide database has proven to be an effective tool for identifying individuals who have moved and reregistered in the State. In addition, States can employ computerized comparisons of the files in a statewide database to other computerized files, such as death records and motor vehicle department records, to help update the registry and reduce inflated lists. Consequently, the FEC recommended in its most recent report to Congress on the NVRA that States, which have not yet done so, should develop such statewide computerized voter registration databases. (See Appendix A for the recommendation and justification.)

Requiring a Portion of the Applicant's Social Security Number

Anecdotal evidence from the States suggests that *requiring* all or a portion of the applicant's social security number can help identify the persons who may have reregistered at another addresses. The Privacy Act, however, prohibits jurisdictions from requiring the social security number for voter registration purposes if they did not require it for their voter registration records as of January 1975. Therefore, one of the FEC recommendations in its latest report to Congress was that States which do not currently require all or a portion of the social security number: (1) amend their election codes to require only the last four digits of that number from all new voter registration applicants; and (2)

⁸ The U.S. Census Bureau reported that, between 1995 to 1996, 83 percent of those who changed address moved within the same State (64 percent within the same county and 19 percent to a new county within the same State). During this period, 16 percent of those who moved went to other States and .3 percent went abroad. The percentages for each category were virtually the same for those who changed address during 1996-1997.

endeavor to obtain that same item of information from all current registered voters. (See Attachment A.) This proposal does not appear to require federal legislative action and therefore can be implemented by the States immediately. The approach also is less likely to raise objections from persons concerned about privacy than requiring the full social security number.

Using Change of Address Notices from Motor Vehicle and Agency Offices

The NVRA requires that changes of address for driver's license purposes serve as voter registration changes of address, unless the holder of the driver's license indicates the change is not for voter registration purposes. A number of election officials have reported how valuable this source of information is in maintaining voter registration lists.⁹ Twenty percent of the covered States, however, reported that they do not use changes of address from motor vehicle offices, despite the NVRA requirement. Some of these States hoped to capture changes of registration address at the same time as registrants change driver's license address by giving the individual a voter registration card. These States may want to reconsider this approach because it may not be as reliable as a direct transfer of information from the motor vehicle office. A higher number of States reported using changes of address from agencies designated to register voters.

Using Cancellation Notices from Other Election Offices

Currently, local jurisdictions in many States accept cancellation notices from election officials based on the understanding that the registrant's application to register to vote elsewhere serves as written evidence from the registrant that their address has changed. In the *Journal of Election Administration, Spring 1987*, the FEC first addressed the importance of a system whereby election officials help each other maintain cleaner lists by notifying the election official in a new registrant's former jurisdiction to cancel the registrant's old registration. The *Journal* article provided a sample form that could be used to notify an election official to cancel a prior registration and advertised the FEC's directory of election official addresses for canceling former registrations.

In 1997, the National Association of Secretaries of State's agreed to encourage the universal use of a standardized National Registration Cancellation Notice. NASS members are designing a standardized notice that will provide all the information any registrar would need to cancel the registration of a person

⁹ Some election officials questioned why the changes of address from motor vehicle offices are assumed to be more accurate than those from the Postal Service. They pointed to problems with some of the addresses received from motor vehicle offices, including addresses that cannot be used to determine residence (e.g. post office boxes). They also noted problems with relying on motor vehicle department reports of licensed drivers' requests for a drivers license in another State. These reports are used by election officials in some States to cancel voter registrations and, from time to time, have included persons who remain residents of the State but have applied for a driver's license in another State in which they maintain a second home.

who has registered in another jurisdiction. Registration officials could help each other and themselves through the universal use of this form. Of course, this is dependent on registrants providing previous registration information, something they do not always do.¹⁰

Regarding Registrants Whose Move or Death Remains Unidentified

There are only two methods widely used to attempt to verify the current addresses of the entire registry. One is to send a nonforwardable notice to all registrants and take action on those returned. The other is to run the computerized voter registration file against the NCOA files and take further action on address corrections reported. Both programs can identify a number of potential movers, but each will miss some registrants who no longer live at the address of record. Consequently, election officials have expressed concern that an unidentified number of registrants may no longer live in their community and are inflating the registry with “deadwood”.

If nonforwardable notices are not returned to the registrar when the addressees no longer live at the address of record, the registration official will not know to correct the address and send the appropriate forwardable confirmation notice. If registrants have moved more than three years ago or do not file a Change of Address Form with the USPS, the move will not be reported through the NCOA program. While changes of address reported by motor vehicle departments and cancellations of registrations received from other election officials may help to identify some of these movers, they will not identify all of them.

Election officials also have been challenged to find ways of identifying registrants who die outside of the State or local jurisdiction and who are not included in the reports received from their State or local office of vital statistics. This problem is especially prevalent in jurisdictions that border other States where registrants are more likely to seek medical attention.

States are attempting to deal with some of the problems associated with lists inflated by the unidentified movers or deceased through:

- using a statewide voter registration database to help identify those who have reregistered in another jurisdiction in the State and to compare against statewide death records;
- requesting or requiring all or a portion of the social security number from registrants to help identify registrants who have reregistered at a new address and to match registrants to death records received;

¹⁰ At least one local election official noted that organized voter registration drives in the State frequently neglect to obtain prior registration information.

- designing notices to encourage responses from others who live at the same address and conducting public information programs to inspire responses;
- using the NCOA program at least once every 3 years and periodically using another method to canvass registrants; and
- using collateral sources of information to help identify those who may have moved or died.

In addition, a couple of States and national associations of election officials proposed sending a forwardable confirmation notice (with postage paid reply card) to those who fail to vote or fail to maintain contact over a certain period of time. Election officials would cancel the registration of those who did not respond or appear to vote over the course of two federal general elections.

Developing a Statewide Voter Registration Database

The idea of using of a statewide voter registration database to identify registrants who have reregistered at a different address was discussed above. In addition, States can employ computerized comparisons of the files in their statewide database to other statewide computerized files, such as death records and motor vehicle department records, to help update the registry and reduce inflated lists.

Requiring a Portion of the Applicant's Social Security Number

The idea of requiring a portion of the applicant's social security number was discussed above. Some States reported that requesting or requiring all or a portion of the social security number from registrants helps to identify registrants who have reregistered at a new address and to match registrants to death records received. Some election officials emphasized that the number must be *required* because making the provision of the number optional does not yield a satisfactory response rate.

Encouraging Responses from New People Residing at the Old Mailing Address

Election officials have found that they can increase responses from residents who receive mailings sent to individuals who have moved or died by designing the notice to make it easy for them to respond (see an example in Figure 5B of the FEC's original NVRA Guide). Election officials also reported employing public information programs at the time of the mailing to encourage such responses.

Using Both the NCOA Program and Another Canvassing Method

Election officials can alleviate some of the problems inherent in using only one method of canvassing the entire registry. They can use the NCOA program at least once every three years and also periodically use another method to canvass registrants (such as a non-forwardable mailing or door-to-door canvass)

to capture information on registrants who have moved but failed to file a forwarding address with the USPS.

Employing Collateral Sources of Information

Although the majority of States use a wide variety of sources of information to help update registration lists, some do not take advantage of many sources that would be helpful. As noted above, one fifth of the covered States reported they do not use changes of address from motor vehicle offices. Furthermore, not all election officials send or use cancellation notices to help maintain up-to-date lists.

Other useful sources of information on those who may have moved also seem under-utilized. Some election officials found the notification of State driver's licenses surrendered in other States, reports from local utility or telephone companies, returned or responses to jury duty notices, and information provided by those signing ballot petitions are helpful in identifying movers in a nondiscriminatory manner.¹¹ Massachusetts reported using its annual census of all residents to identify registrants who may have moved. Chicago, Illinois, used a combination of door-to-door and mail canvass to identify those who may no longer reside in the jurisdiction.

One quarter of the covered States reported relying *only* on their State or local government agencies providing vital statistics for news of those who have died. This approach can miss those who died outside of State or local jurisdiction boundaries. Some States reported attempts to augment that information with neighboring States' reports of deaths and reviews of obituaries in community newspapers. Some also reported permitting local officials to use reports from local funeral homes, but one State noted that this may not be used often because it can increase the grieving family's funeral costs.

Kentucky addressed the problem by purchasing a one-time issue of the Social Security Administration's Master Death File (55,370,742 records on 21 magnetic tapes) from the National Technical Information Service for \$1500.¹² The State, which requires the full social security number for voter registration and has a statewide computerized voter registry, purged persons from the voter

¹¹ An election official in a State where a drivers license request in another State automatically cancels the prior drivers license and voter registration, however, cautioned that persons with homes in two States have been incorrectly removed from the voter registration file through this system. As the process does not notify these persons of the cancellation or provide them an opportunity to maintain their voter registration at the address they claim as their residence, there are problems on election day. Jurisdictions can address this problem by sending a final notice of removal, such as the one suggested in the FEC's NVRA implementation guide.

¹² A Social Security Administration representative cautioned that the agency does not *verify* the deaths of those listed on the Master Death File until someone applies for benefits under the name of the deceased.

registration list if their social security number and date of birth matched on both the Master Death File and the voter registration list. Under this program, the State purged 21,990 dead persons from the registry and will investigate another 15,225 names whose social security number but not date of birth matched.

Targeting Mailings

A couple of States, the Joint Election Officials Liaison Committee (JEOLC), and National Association of County Recorders and Clerks (NACRC) proposed allowing registrars to target registrants who fail to vote or fail to maintain contact over a period of time to receive forwardable confirmation mailings.¹³ Thereafter, registrars could designate those who do not respond as “inactive” and remove their names from the registry after two federal general elections.

This approach might help in dealing with many of the unidentified movers (e.g., transients and college students who leave school without notifying the Postal Service of their forwarding address) and deceased registrants. The disadvantages are that it can result in the eventual removal of those who remain eligible to vote in the jurisdiction but have exercised their right not to vote, and it will not account for moved or deceased registrants if someone else is voting in their names. It also may have a discriminatory impact in certain communities because reports from the U.S. Bureau of Census indicate that minorities tend to vote at a lower rate.

The issue of whether or not election officials may target the forwardable confirmation notices *solely* for failure to vote or failure to maintain contact over a certain period of time remains a question of the legal interpretation of NVRA provisions. During 1994-1995, the Department of Justice objected to such an approach in Georgia and South Dakota, and in doing so noted that it was a violation of the NVRA prohibition against removal for failure to vote.

At least three States reported sending forwardable confirmation notices during 1995-1996 for failure to vote or failure to maintain contact over a period covering two federal general elections. In 1997, Georgia resubmitted the proposal to the Department of Justice, which precleared it under the Voting Rights Act but did not offer an opinion on its permissibility under the NVRA.

In October 1997, the Department of Justice mounted a legal challenge to California’s recent enactment of a provision permitting local election officials to use failure to vote to trigger a forwardable confirmation notice. This challenge was resolved in February 1998 through a settlement in which California agreed not to cancel the voter registration of any voter who failed to respond or to vote

¹³ The JEOLC and NACRC suggested a legislative change to the NVRA to implement this approach.

after being sent a confirmation notice based on previous failure to vote. Wilson v. United States Nos. C 95-20042 JW and C 94-20860 JW (ND Cal. Feb. 2, 1998).

Regarding the Adverse Impact on Turnout Figures

Some States, which based their turnout statistics on registered voters, expressed concern about the adverse impact of “deadwood” on turnout figures. Yet, there is no federal requirement that States base their voter turnout figures on registration totals. The FEC, the Congressional Research Service and others use U.S. Census Bureau voting age population statistics, not registered voters, as the basis for calculating turnout. Yet, some State do not want to use the voting age population because that figure includes some ineligible persons (e.g., non-citizens, persons convicted of a felony).

If States choose to continue using registered voters for such calculations, there is no federal requirement that they include “inactive” registrants for that calculation. A number of States already exclude “inactive” registrants in other calculations or administrative procedures that do not interfere with the registrants’ right to vote such as: (1) when calculating the number of signatures needed for ballot access; (2) when determining precinct boundaries; (3) when determining the number of ballots or voting machines needed; and (4) when sending voter information mailings. While there may be an unknown number of deadwood in the active files, using the number of active registrants to calculate voter turnout percentages should provide a better picture of voter participation than the percentages calculated based on active and inactive registrants.¹⁴

Compensating for Omissions of Previous Registration Information

A couple of States reported difficulties in matching new voter registration applications to current registrants when the individuals change their name or address but do not provide previous registration information. The States reported no current solutions for this problem.

The FEC notes that requiring at least the last four digits of the social security number may help. When combined with birth date, this information has helped election officials identify which applications are duplicates and which are changes to the information for current registrants. One of the FEC

¹⁴ The percentage of deadwood among the “active” registrants used to calculate turnout will depend, to a certain extent, on list maintenance methods and timing.

recommendations in its latest report to Congress, therefore, was that States which do not currently require all or a portion of the social security number do so for all of their registrants. (See Appendix A.)

Dealing With Persons Registered More Than Once

One State reported problems with duplicate registrations (i.e., the same person registered at the same address), one State reported problems with the same person registered at different addresses, and one State noted problems with persons registered in their community who confessed to being registered in another State at the same time. States reported dealing with most of these problems by:

- using notices from election officials in other jurisdictions to cancel former registrations;
- using local manual, or local and statewide computer-assisted checks for persons registered more than once;
- encouraging registration officials to check for duplicates before adding the name to the registry; and
- using a statewide computer system that will not accept new registrations using a social security number that is already on the registry and linking to motor vehicle offices and agencies conducting voter registration.

Using Cancellation Notices from Other Election Jurisdictions

As noted previously, using notices of cancellation from other election officials helps to identify registrants who should be removed (including those who have moved to another State), but only if registrants report previous registration information to their new jurisdiction. This procedure also would not be helpful in identifying registrations from the same individual in the same community.

Cross-Checking the Registration List

A number of States have found that regularly scheduled local manual, or local and statewide computer-assisted checks for persons registered more than once are necessary. Statewide computer-assisted checks have the advantage of helping to identify both movers within the same jurisdiction and those who move elsewhere in the State.

Checking for Duplicates First

Checking current registration records as applications are processed also combats multiple registrations from the same individual. This approach may not

be practical, however, for local jurisdictions that are not computerized. Local jurisdictions that have computerized registries also may find it difficult to check for duplicates when processing applications shortly before the registration deadline, a time when registration drives return large numbers of applications, unless their system is programmed to reject applications with the same identification number (i.e., all or part of the applicant's social security number) or to identify applicants whose last name and birth date are the same as someone on the registry.

Using a Statewide Voter Registration Database

Kentucky reported that its statewide computerized system prevents duplicate registrations by prohibiting the addition of anyone who has the same social security number as someone on the registry. The State also provides system access to motor vehicle offices and agencies conducting voter registration, thereby preventing the generation of duplicate registration applications from those sources. The system does, however, accept updates to current registrants' information (e.g., change of address). Eventually, as more States develop statewide computerized voter registration databases, it may also be possible to share information across State boundaries, as motor vehicle agencies do now, to identify persons registered in more than one State. Accordingly, the FEC recommends that States which have not yet done so should develop such a statewide computerized voter registration database (see Appendix A.)

Combating Ineligible Persons Becoming Registered

A couple of States reported that local election officials have found ineligible persons on the registration lists (i.e., non-citizens, convicted criminals, nonexistent persons, non-residents, persons registered in the name of dead individuals, and under age individuals). Anecdotal evidence suggests that election officials in other States have also encountered this problem from time to time.

Registrars cannot always detect ineligible applicants at the time of application. This was true prior to the implementation of the NVRA and, consequently, States had already developed procedures for identifying and removing ineligible registrants. A small number of States, in response to the requirements of the NVRA, initiated procedures to identify possible ineligible persons prior to including their names on the registry. The challenge for States is to develop procedures that maintain the integrity of the election process without penalizing the majority of applicants, who are law abiding citizens.

The legislative history of the NVRA indicates that Congress expected registration officials to retain the authority to determine if applicants are eligible. While the law and the legislative history are silent on the removal of ineligible registrants after they appear on the list, election officials in many States use their authority to promptly remove those determined to be ineligible (except when change of address is not confirmed).

States have taken the following approaches to ineligible persons who have applied for registration or become registered:

- requiring first time voters to vote in person if they registered by mail;
- investigating computer-generated lists of multiple registrations from the same address;
- conducting computer comparisons of the registration file against files of valid addresses (e.g. the USPS Delivery Sequence File matching service available from NCOA licensees);
- investigating returned acknowledgment notices;
- using an acknowledgment suspense file;
- employing the State's challenge process;
- referring ineligible applicants or registrants for prosecution; and
- using responses to jury duty notices to help identify non-citizen registrants.

A couple of States and the Joint Election Officials Liaison Committee proposed adding a separate question on citizenship to voter registration applications and refusing to process applicants who do not answer this question in the affirmative. One State proposed allowing all States to require agency registration personnel to "flag" applications of suspected non-citizens. Another State proposed requiring the Immigration and Naturalization Service to assist election officials in identifying potentially ineligible registrants.

Requiring Mail Registrants to Vote in Person The First Time

Seven States reported requiring first time voters who registered by mail to vote in person. The NVRA clearly permits this as a security mechanism to discourage or to help identify the registration of non-existent persons. This procedure cannot be used, however, in violation of other federal laws such as the Uniformed and Overseas Citizens Absentee Voting Act, the Voting Accessibility for the Elderly and Handicapped Act, and the Voting Rights Act's provisions for absentee voting by certain persons in Presidential elections.

Investigating Multiple Registrations from the Same Address or from Invalid Addresses

Some States reported identifying potentially false registrations through the review of computer-generated lists of multiple registrations at the same

address and computer-assisted comparisons of the registration file against files of known addresses. For example, the USPS Delivery Sequence File (DSF) matching service (available through some NCOA licensees) can:

- validate the address as a physical location receiving mail delivery service from the Postal Service;
- provide some corrections for incomplete addresses;
- identify if the address is considered residential or business; and
- identify addresses that are Commercial Mail Receiving Agencies, which provide commercial “box” services for their clients.¹⁵

These methods provide a useful tool in the investigation of potential problem registrations, but they do require follow up work to verify that the registrant’s address has not been recorded incorrectly in the registry and that the address is not the legitimate home of a large family or a facility that has multiple residents. The disadvantage is that these comparisons are only possible where registration lists are computerized.

Investigating Returned Acknowledgment Notices

Some election officials reported that they investigated the likely reason for the acknowledgment notice’s return.¹⁶ If the return was due to a non-existent address and the applicant could not be contacted to provide a correct address, then the applicant was determined to be ineligible and the registration was canceled.¹⁷ If the address did exist, the registrar would investigate the reason for the return before sending any follow-up mailing.

The advantage to this approach is that it can promote the prompt removal of registrants for non-existent addresses, for falsely declaring residence in the jurisdiction, or for applying under a fictitious name. The disadvantage is that, if not carefully implemented, it can result in the removal of a registrant who is eligible to vote in that jurisdiction but whose mail was not properly delivered, whose address was incorrectly recorded on the acknowledgment notice by the election office (through clerical error or inability to read the

¹⁵ This program has an additional advantage of providing information for each address that will allow access to postage discounts, such as barcode information that can facilitate access to automation rates. Companies that provide DSF processing are identified on the USPS list of current NCOA licensees. This list is available on the Web (<http://www.usps.gov/ncsc/services/>).

¹⁶ One Florida county reported that 25 percent of the acknowledgment notices were “Returned Undeliverable”. Further investigation revealed that almost all of these applicants were “unknown” or “doesn’t really live here”.

¹⁷ Care in using this approach is necessary for registrants who are uniformed or overseas citizens and their eligible dependents. It is possible and legal for such registrants to report a voting residence that no longer exists due to construction in the community (e.g., the building has been razed and replaced by a shopping center or lake).

application), or who had moved within the jurisdiction subsequent to completing the voter registration application but had not yet filed a Change of Address Form with the Postal Service.

The NVRA permits States to send a follow-up forwardable confirmation notice and list the registrant as “inactive” when notices acknowledging acceptance of the registration application are returned. This approach has the advantage of giving registrants a chance to respond before their registration is canceled. Although the forwardable notice may be returned as well, the procedure still provides some time during which registrants can correct the record when they offer to vote. The drawback to this approach is that some non-existent applicants and persons who falsely claimed residence in the jurisdiction may remain on the registry through two federal general elections. At least one jurisdiction with a computerized registry reduced the likelihood of such occurrences by using a program that prevents applicants with non-precinctable addresses from being added to the active voter file. Such applicants were placed in a “pending” file while the election official endeavored to contact them.

Using an Acknowledgment Suspense File

One State reported holding registration applications in a suspense file until a certain number of days after the notice acknowledging acceptance of the application is mailed. This State only registered applicants whose acknowledgment notices were not returned during that suspense period.

The advantage to this procedure is that it can help to identify the names of individuals who have given non-existent addresses on their application or who do not reside at the address provided in the application *before* they are added to the registry. There are, however, big drawbacks. First, the approach is dependent on the USPS reliably and accurately delivering the mail. If mail service is a problem in a particular community, eligible applicants may be denied. Second, applications received near the registration deadline may not be processed in time, thereby preventing eligible persons from voting. Third, if not carefully implemented, it may deny the right to vote to individuals whose acknowledgment was “Returned Undeliverable” solely because the voter registration official recorded the address incorrectly on the notice (through error or inability to read the application).

Although it requires more effort, election officials may find their actions are less open to legal challenge if they add apparently eligible applicants to the registry and send the acknowledgment notice. If the notice is returned, they can investigate the reason for the return and follow their normal procedures for canceling registrations if they find that a fictitious name or address was reported or that the applicant falsely claimed residence in their jurisdiction.

Jurisdictions with computerized registries may also benefit by using a program that prevents applicants with non-precinctable address from being added to the active voter file.

Using the State's Challenge Process

The advantage of using a challenge process, specifically one that permits questionable registrants to rebut the reason for the challenge, is that it can help to remove ineligible people quickly. The problem is that the challenge process has been used in the past to discriminate against persons who are likely to vote for the "wrong" political party, minorities, and the poor. Therefore, any challenge process implemented must be nonpartisan and nondiscriminatory and must ensure that possibly eligible registrants are not denied the vote. Furthermore, under current NVRA provisions, the challenge process should not be used to remove registrants who have moved. Successful challenge processes usually: (1) have well-defined grounds for challenge that rise to probable cause; (2) do not permit discriminatory selection of portions of the registration list; (3) permit the registrant to easily respond to the challenge; and (4) insulate the voting process from eligibility determination (i.e. the decision is not made by poll workers at the polls).

Prosecuting Ineligible Applicants

Some States reported using referral for prosecution based on evidence of ineligibility as a tool to combat ineligible persons becoming registered. The advantage to this approach is that it punishes the few who violate the law rather than the majority who abide by it. Some States take the view that the prompt, public prosecution of even a small number of miscreants may deter others from attempting the same thing. For example, prosecutors in North Carolina publicly pursued an underage registrant for falsely claiming eligibility and recording a false birth date on the registration application, as well as the registrant's father who had aided and abetted his son in the effort.

While vigorous prosecution could help discourage registration by ineligible persons, some States do not provide penalties that provide a sufficient deterrent. Federal, State, and local law enforcement agencies often do not have the resources to prosecute each case. Some of them give voter fraud cases low priority. States may want to review their enforcement programs to determine if they can strengthen them with stiffer penalties and more resources for State and local prosecutors.

Using Jury Duty Notice Responses to Identify Non-Citizens

The California Secretary of State's office reported requiring election officials to use responses to jury duty notices to identify and delete non-citizens.

If their response claimed ineligibility to serve on a jury due to non-citizen status, the registrants were notified that their voter registration was canceled. This may not be a fool-proof process, however. A number of registrants apparently have reported that they are not citizens to avoid jury duty, but later confirmed their U.S. citizenship after being informed that their names were to be deleted from the registry.

Asking Citizenship as a Separate Item on the Registration Form

Two States and the Joint Election Officials Liaison Committee proposed that States and the FEC insert the following question on all registration applications: "Are you a U.S. citizen Y or N". States would require the applicant to answer the question and sign the application before the application is considered valid. This approach might prevent applicants from overlooking the U.S. citizenship requirement.

Registration officials in Texas have used this approach, however, and reported a significant number of applicants failed to complete this part of the application. In many cases, the applicant subsequently confirmed U.S. citizenship in response to the notice acknowledging receipt of the application and the reason for rejection. The question remains, then, whether or not the benefits of implementing this approach are outweighed by the additional burden on registration officials, whose follow up work may increase, and the burden on applicants, whose right to vote may be temporarily denied.

Furthermore, the FEC cannot include this question on the National Mail Voter Registration Form without reopening the federal regulations promulgated in connection with the NVRA. If and when this is done, all federal regulations governing the national form and the reporting requirements will be subject to comment and possible revision. In the interim, the FEC has revised the description of penalties for false registration on the national form to include the possibility of deportation or exclusion of non-citizens who register to vote, as provided for in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Pub. L. 104-208).

"Flagging" Suspected Non-Citizen Applications

One State proposed allowing all States to require agency registration personnel to "flag" applications of suspected non-citizens. Anecdotal evidence suggests that some States found non-citizens registering to vote through public agencies. Apparently, some of this was due to the understanding that agency officials were legally required to offer voter registration to all clients, regardless of citizenship, and the non-citizen applicants' belief that a government official would not offer voter registration if it was illegal for them to apply.

Yet, agency personnel often do not have the information necessary to determine citizenship. The Department of Justice found one State that wanted clerks at its social service agencies to withhold voter registration application forms from people based on information about their citizenship in an official file that was out of date and inaccurate. Another State reported problems prior to implementing the NVRA with officials discriminating against minorities when offering voter registration at motor vehicle offices because the applicants "looked or sounded foreign".

An August 1, 1997 Department of Justice letter, responding to a Congressional inquiry, states that:

Agency workers are not required to offer voter registration applications to individuals they know are not citizens. But such actions must be taken based on firm knowledge, not a mere assumption, that a person is not a citizen. Clearly, individuals who say they are not citizens should not be offered an opportunity to register to vote. Decisions on the eligibility of individuals to register to vote in other circumstances, however, should be made on the basis of equally firm evidence or be left to ... registrars of voters, rather than by persons in the agency who have neither the expertise nor access to accurate data in order to make an initial determination of eligibility.

The letter also states that:

... Anyone who has reason to believe that an applicant is not a citizen should inform the local voter registrar of that fact, and the registrar should take the appropriate steps to verify the truthfulness of those assertions/allegations and to follow appropriate steps to remove any ineligible voter from the voting rolls.

It seems appropriate, then, to allow agency personnel to "flag" possible non-citizens for further inquiry by the local voter registrar, since the registrar cannot always determine ineligibility solely upon a review of the application itself. Caution must be exercised when implementing such a procedure, however, to insure that minorities are not targeted for superficial reasons (i.e., looks, accent), which could violate the antidiscrimination provisions of the Voting Rights Act. States also may want to place notices, translated into languages other than English, in agencies where they are having problems with non-citizen applicants to forewarn applicants that federal law makes false claims of U.S. citizenship a deportable offense.

Regarding INS Verification of Citizenship

While only one State proposed that the Immigration and Naturalization Service (INS) should verify the citizenship of applicants, local officials from other States also have expressed their support for this concept. INS does not maintain a system of records on United States citizens, however, so it cannot verify the citizenship of all registrants. INS has records only for the small portion of the population of citizens who have been naturalized (but not those who are native-born citizens), as well as records on aliens (but not many illegal aliens). There are both legal and practical limitations on using INS records for purposes of verifying the citizenship of voter registration applicants generally.

First, INS officials maintain that disclosure of agency records containing identifying information about U.S. citizens and lawful permanent residents is governed by the Privacy Act, which prohibits disclosure without the consent of the individual unless an exemption to the Act applies. Since there is no Privacy Act exemption specifically geared toward disclosure for purposes of voter registration verification, election officials would have to satisfy one of the general exemptions. There is an exemption, for example, for law enforcement purposes, which could be used by States or local jurisdictions that can demonstrate their request falls under the exemption. INS officials report that the agency routinely cooperates with State and local officials by providing immigration status information when a proper showing has been made, after analyzing each request on a case-by-case basis.

Second, in order to avoid having a discriminatory impact, the decision to verify applicants' or registrants' citizenship would have to be applied to all applications received, an entire voter registration list, or portions of the applications or the registry that are not selected based on any discriminatory criteria (e.g., a statistical sample or particular registrations scrutinized as part of a law enforcement investigation initiated based upon evidence that non-citizens had been registered).

In addition to the legal limitations, there are several practical concerns involved in attempting to match voter registration applicants with INS records. For instance, it would have been impractical and highly burdensome to ask the INS to check for possible non-citizens in each of the over 41 million applications reported received in 1995 and 1996. It also would have significantly delayed the processing of applications, preventing numerous eligible citizens from voting. In addition, INS officials have identified the following problems.

- For the vast majority of voter registration applicants who are native-born U.S. citizens, INS has no corresponding records.
- INS's automated data systems do not always contain the most current immigration and citizenship status information, and they do not contain old

records (pre-1972). INS paper records on people who have become citizens are often stored in Federal Records Centers and are not likely to be easily accessible. Reviewing INS paper files in order to improve the reliability of any status information provided to States is a time-consuming and burdensome process.

- INS uses the Alien Registration Number as the unique identifier in its system of records. Since registrars generally will not have collected this number from voter registration applicants, queries would instead have to use non-unique data elements as the basis for matching, such as name and date of birth. Matches based on name and date of birth are susceptible to false matches (i.e., INS files contain a non-citizen with the same or similar name and birth date as a registrant who is a U.S. citizen) and duplicate matches (i.e., INS files contain the same or similar name and birth date as more than one registrant, or vice versa). Moreover, INS does not update its records with name changes after an individual has been naturalized, so the name used at the time of voter registration might not match the name used at the time of naturalization.

Election officials, therefore, could not rely solely on the information provided by INS to determine the eligibility of registrants. Registrars must take appropriate steps to verify the status of any registrant whose citizenship is questioned through the use of INS information.

Recent Measures to Discourage Non-Citizens from Registering

There have been several developments that may help to discourage non-citizens from deliberately registering to vote. First, and foremost, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 provides that persons who falsely declare U.S. citizenship may be deported or, if they have left the U.S., refused reentry. Second, a 1996 amendment to federal law prohibits the use of the voter registration card as proof of U.S. citizenship. Third, the INS has proposed regulations that would delete the voter registration card from the list of documents that can be used to verify employment eligibility. Some hurdles remain, however. Some election officials reported that some non-citizens are seeking voter registration cards to demonstrate residency in order to obtain public housing in the community or reduced tuition rates in area colleges and universities. States may need to take action to prohibit the use of the voter registration card for these purposes if such problems persist in their local jurisdictions.

Addressing Increased Citizen Complaints

A small number of States reported increased citizen complaints about the list maintenance programs implemented under the NVRA. A couple of States noted only a general increase in citizen complaints. Another specified that citizens found the confirmation notice too intrusive or simply did not understand the inquiry. Anecdotal evidence suggests that this problem has been noted elsewhere as well, especially when using the NCOA program.

Citizen complaints will likely remain, but election officials may reduce their occurrence by:

- implementing changes in how they use NCOA program;
- simplifying the form and content of election mailings; and
- conducting public information programs.

Election officials may reduce the incidence of complaints if they specify that they want an exact match when using the NCOA program. Election officials may also want to refer to Volume 13 in the FEC's Innovations in Election Administration series, entitled "Simplifying Election Forms and Materials", for guidance on simplifying the election notices.

Information programs to educate the public about the importance of keeping voter registration lists current have proved helpful in pacifying those receiving the notices. This was especially true when election offices launched the program at the time of the canvass. One Ogle County, Illinois election official encouraged positive responses by emphasizing how up-to-date voter registration lists help save taxpayer money. Another official in East St. Louis, Illinois, used community businesses and religious groups and produced a video to help explain and promote efforts to update the voter registry.

Confronting Other Costs and Complexities of List Maintenance

Several States complained about the general complexity and cost of the list maintenance programs under the NVRA. Other States pointed to the burden of cumbersome list maintenance procedures. A couple of States reported difficulties in tracking confirmation notices, two more specifically noted printing costs, and another noted increased labor costs. None of these States reported solutions to these problems.

Congress recognized that the NVRA's requirements would add to the cost of list maintenance in the majority of States that had relied on failure to vote to

cancel voter registration. Congress appears to have justified these provisions by noting that:

- the removal for failure to vote had been shown to discriminate against minorities, the poor, and the illiterate;
- registration lists would be updated continually, rendering them more accurate; and
- the cost savings formerly recognized by election officials who canceled voter registration for failure to vote were reduced by having to process applications from former registrants who remained in the registrar's jurisdiction and had to reregister because of the purge procedure.

Several States have borne the cost of comparing voter registration lists with the NCOA data in an effort to economize and alleviate some of the local election official's burden. Some local jurisdictions have jointly conducted NCOA comparisons, also to economize.

New Jersey reported that batch mailing forwardable confirmation notices once a year, based upon returned nonforwardable sample ballots, made tracking them easier. States and local jurisdictions may also want to review the advantages of a computerized voter registry that can be programmed to track such notices and the responses thereto.

Ensuring the State's List Maintenance Program Meets the Requirements of the NVRA

Most States appear to have implemented list maintenance procedures that comply with the NVRA. Anecdotal evidence and a review of sample confirmation notices, however, reveal that some States and local jurisdictions may need to revisit their procedures to:

- ensure that they are employing list maintenance programs that do not result in the removal of eligible registrants; and
- ensure that confirmation notices required under the NVRA present all of the information specified by that law in simple language and form.

Problems with Targeting

One State reported that it targets all registered voters to receive the forwardable confirmation notice that could result in removal from the registry. This practice is likely to cancel the voter registration of a number of individuals who remain eligible to vote in the registrar's jurisdiction.

Problems With Using Failure to Vote

Three States reported using failure to vote or failure to maintain contact over a certain period of time as a trigger for sending the forwardable confirmation notices that may lead to removing the registrant's name. At least two more States adopted the same practice this year. As noted above, the U.S. Department of Justice formally objected to two States' proposals to use failure to vote or failure to maintain contact as a trigger for confirmation mailings. The Justice Department also mounted a legal challenge to another State's efforts to use the procedure. This challenge was resolved through a settlement in which the State agreed not to cancel the voter registration of voters who failed to respond or to vote after being sent a forwardable confirmation notice based on previous failure to vote. Wilson v. United States Nos. C 95-20042 JW and C 94-20860 JW (ND Cal. Feb. 2, 1998). States considering this approach should be aware that the issue, which involves the interpretation of existing law, has not yet been resolved.

Problems with Confirmation Notices

The NVRA provides for two types of confirmation notices: one for registrants whom the Postal Service reports have moved within the registrar's jurisdiction; and another for those whom USPS reports have moved outside the registrar's jurisdiction. While there is nothing wrong with using a combined "all purpose" notice (the FEC's earlier NVRA implementation guide provides an example on page 5-33), it is vital that list maintenance programs treat those who appear to have moved within their jurisdiction differently from those who appear to have moved away from their jurisdiction.

The NVRA requires registrars to update the address of those registrants who move within their jurisdiction. Anecdotal information suggests that some registrars are planning to cancel the registration of those who reportedly have moved *within* the jurisdiction if they fail to respond to a confirmation notice and fail to vote within two federal general elections. The NVRA requires that the confirmation mailing sent to those moving within the jurisdiction permit the registrant to verify or correct the information. These registrants, however, should remain on the registry unless they request in writing that their names be removed or subsequent information indicates they no longer reside in the jurisdiction, have died, or have become ineligible under State law due to declaration of mental incompetence or criminal conviction.

Many of the States provided sample confirmation notices that were models of simplicity and appeared to include all the information required by the NVRA. Some of the samples, however, do not appear to be reader-friendly. Others do not include all the information required by law. For example, the confirmation

notice that registration officials send when USPS indicates a person has moved out of their jurisdiction should notify the registrant of the following:

1. If the registrant did not change his or her residence, or changed residence but remains in the registrar's jurisdiction, the registrant should return the response card not later than __ (the State registration deadline or 30 days before the election, whichever is later), and if the card is not returned:
 - affirmation or confirmation of the registrant's address may be required before the registrant is permitted to vote in an election __ (during the period beginning with the date of the notice and ending on the day after the second subsequent federal general election); and
 - the registrant's name will be removed from the registry if he or she does not vote in an election during that period.

and

2. Information on how the registrant can continue to be eligible to vote if the registrant has changed residence to a place outside the registrar's jurisdiction (i.e., how to register in their new jurisdiction).

Some of the sample notices fail to provide information required in 2. above. Others fail to notify registrants that affirmation or confirmation of the voter's address may be required before voting. One sample notice warns registrants that they must register their change of address with the State election office to be eligible to vote in the next election. Registrants are likely to interpret this to mean "You can't vote if you don't respond" despite the later paragraph in the same notice which correctly informs them that affirmation may be required when they appear to vote. Some notices used by States which have not left the choice of polling place to the voter incorrectly indicate that *confirmation* is required prior to voting. The NVRA appears to permit only *affirmation* in such circumstances.

Proposals Requiring Congressional Intervention

Individual State election officials and some associations of election officials also have proposed several solutions to help resolve list maintenance problems, almost all of which will require federal legislation to implement. It is not clear how many of these proposals have wide support in the election community. States may want to review the proposals and determine for themselves which ones they would support before Congress. The challenge for States in reviewing these proposals is to determine which ones will best combat the registration of ineligible voters and preserve the integrity of the election process without

discriminating against certain minority groups or unduly burdening law abiding citizens.

Should the Applicant's Full Social Security Number Be Required?

Several State election officials and the Joint Election Officials Liaison Committee supported allowing all States to require the full social security number on the voter registration application to help them maintain accurate registries.¹⁸ The National Association of County Recorders and Clerks, however, recognized the obstacles that had to be overcome to permit this and, instead, recommended that election officials require the last four digits of the social security number.

The FEC addressed the issue of requesting or requiring such an identification number when promulgating regulations related to the National Mail Voter Registration Form. At that time, several States responded that they needed the social security number:

- to assist in identifying name changes for individuals already registered;
- to differentiate between individuals of the same or similar name and the same birth date to prevent duplicate registrations;
- to help identify registrants who have moved within the jurisdiction and facilitate the transfer of address information from motor vehicle departments;
- to combat voter fraud through the removal of registrants who are no longer eligible to vote in a particular jurisdiction; and
- as the primary key for many computer operations related to the administration of elections such as voter registration and review of ballot access petitions.

Subsequently, some States also supported permitting all States to require the full social security number on voter registration applications to discourage applications in the names of non-existent persons and to help match information on convicted criminals and the deceased to voter registration files.¹⁹

¹⁸ Amendments to the social security laws permit States or political subdivisions to require the social security number in the administration of any tax, general public assistance, driver's license, or motor vehicle registration laws, and to assist them in eliminating duplicate names and names of convicted felons from jury source lists. Unless a State was grandfathered under provisions of the federal Privacy Act of 1974 (5 U.S.C. 552a note), however, the State cannot presently require the full social security number for voter registration purposes.

¹⁹ Most of the seventeen States that did not request or require an identification number prior to implementing the NVRA had relied upon place of birth to help them distinguish between individuals with similar names and the same date of birth. That information is no longer available from applicants who use the National Mail Voter Registration Form.

Twenty-one States responded to a 1993 FEC survey by indicating that the social security number or other number such as the driver's license number was either necessary or desirable for the administration of voter registration. Some of these States commented that they found requesting the social security number caused the majority of applicants to provide it. Anecdotal information from election officials suggests, however, that some individuals will not provide social security numbers because of privacy concerns, or for religious or cultural reasons. Others do not know their social security number and either report the number incorrectly or report their spouse's number, under which they receive benefits.

Public interest groups commented on confidentiality issues associated with providing a social security number for records that may be accessible to the public. In particular, they were concerned that public access to voter registration information containing social security numbers would allow unscrupulous persons to access private financial, medical, and education records of other persons or to obtain credit under assumed names and wreak havoc on the individuals' credit ratings. If all States were permitted to require the full social security number, election offices would have to determine how to keep that information confidential.²⁰

The alternative of using the last four digits of the social security number in conjunction with date of birth was explored by the FEC when promulgating its regulations for the national registration form, in its guide for implementing the NVRA, and in seminars with State and local officials on implementing the NVRA. The FEC also recommended in its most recent report to Congress on the NVRA that States *require* the last four digits of the social security number for their voter registration records if they do not already *require* all or part of that number. (See Attachment A for the recommendations and justification.) A few State and local election officials, however, have argued that the last four digits are insufficient to differentiate between individuals, particularly in large areas with highly mobile populations where the incidence of persons having the same or very similar last four digits increases. At this time, only Illinois *requires* the last four digits of the number, while Arizona and West Virginia *request* them.²¹

²⁰ The U.S. Court of Appeals confirmed the permissibility of Virginia's current requirement that applicants furnish their social security number for voter registration, *provided* the number remains confidential. Greidinger v. Davis, 988 F.2d 1344 (4th Cir. 1993).

²¹ Of the remaining covered States, seven States currently *require* full social security numbers in voter registration, fourteen States *request* the full social security number, one State *requires* and one *requests* the State driver's license number, one State *requires* and two *request* the applicant's choice of State driver's license number or other listed alternative, two States *request* a combination of numbers, and fourteen States neither require nor request any ID number.

Should Earlier Removal of Registrants Be Permitted After Confirmation Mailings?

One State election official proposed permitting more immediate removal of registrants' names after a forwardable confirmation notice is sent and no response has been received if there has been "independent verification" that the individuals no longer live in their jurisdiction. The advantage to this approach is that it would permit earlier deletion of ineligible persons. The problem with it would lie in defining what constitutes reliable "independent verification" to prevent the reoccurrence of past discriminatory practices and the haphazard deletion of eligible citizens.

The NVRA already requires the use of driver's license change of address to immediately update the registry, unless the applicant states that the change of address is not for voter registration purposes. This provision permits election officials to remove the names of those who have moved away from their jurisdiction.²² Many election officials also use notices received from registrars in other jurisdictions to immediately remove registrants who subsequently have registered elsewhere. Depending on potentially unreliable sources such as a disgruntled neighbor or a political operative, however, could result in the removal of registrants who still live in the registrar's jurisdiction and could possibly have a discriminatory impact, thereby violating the Voting Rights Act.

Solutions to some of the problems mentioned above might include: (1) requiring registrars to document the source of the "independent verification" and the steps taken to confirm information received from sources other than another government agency; (2) making it easy for persons to be reinstated on the registry and to vote, if they have been removed but continue to reside in the registrar's jurisdiction and otherwise remain eligible (possibly using the same fail-safe voting provisions established by the State in accordance with the NVRA); and (3) reporting apparent organized efforts to target minorities to the Justice Department.

Should Removal of Registrants Be Permitted Without Sending A Forwardable Confirmation Notice for Mailings Returned Undeliverable?

A few State election officials proposed that registrars be permitted to remove the names of registrants without the expense of sending a confirmation notice when a mailing has been returned with an indicator that it is undeliverable and no forwarding order is on file. This recommendation also has been supported by the Joint Election Officials Liaison Committee. The approach

²² Some States have chosen to transfer the voter registration of individuals who have moved from one jurisdiction to another within the State, thereby allowing registrants to move without having to reregister in their new jurisdiction.

would save money, since follow up notices reportedly are returned undeliverable as well.

Election officials proposed different timetables for removing registrants' names when mailings are returned undeliverable. Some would remove the names as soon as an election mailing is returned undeliverable. Others would declare the registrants "inactive" through two federal general elections subsequent to the returned mailing and then delete them if they failed to vote. The first timetable would allow more prompt removal of deadwood. The disadvantage is that it is likely to result in the removal of eligible registrants whose mail has not been properly delivered by the USPS, or who continue to live in the jurisdiction but have not yet filed a Change of Address Form with the USPS.²³ The second timetable would both save the expense of a possibly futile follow up mailing and protect eligible registrants' right to vote for a period of time. The disadvantage to this timetable is that it would result in some deadwood being carried on the registry for more than two years.

Should Removal for Failure to Vote or Maintain Contact Be Permitted?

A few States proposed permitting States to return to the practice of removing registrants for failure to vote or failure to maintain contact through offering to vote, changing residence address, or otherwise updating registration information over a period of time. While this would help to remove deadwood, there is no question that it also would remove registrants who otherwise remain eligible to vote but choose to exercise their right not to vote. Representatives of civil rights groups testifying before Congress argued that this approach has had a disproportionately negative affect on persons of low income, minorities, and the illiterate. It also increases some costs for local jurisdictions because election officials must process new registration applications for previously registered individuals who remained in their jurisdiction but were deleted from the registry. Furthermore, relying on this approach alone would not guarantee clean voter registration lists (as officials from States that have prosecuted individuals for voting in the names of movers or the deceased could testify).

²³ Representatives of both election officials and public interest groups referred to the need to compensate for mistakes in mail delivery in testimony before the House Subcommittee on Elections on federal voter registration legislation pending in the 101st Congress, which preceded the National Voter Registration Act. The Executive Director of the DC Board of Elections and Ethics reported that when address verification cards were returned undeliverable, a second verification notice was sent to "ensure against postal error". The Director of the Voting Rights Project Lawyer's Committee for Civil Rights Under Law expressed his concern that purging registrants because a mailing had been returned by the USPS would deny the right to vote to some individuals because of circumstances beyond their control (i.e., clerical errors by election officials or misdelivered mail by postal workers).

Should Citizenship Verification from Applicants Be Required?

One State election official proposed permitting registrars to require verification of citizenship from voter registration applicants to ensure that applicants are citizens. The advantage to this is that it would discourage at least some non-citizens from registering to vote.

Unfortunately, there are a number of drawbacks to the approach. A requirement for proof of citizenship cannot easily be implemented with mail registration. Requiring it would make it more difficult to apply and, therefore, would depress voter registration. The requirement also would significantly slow election administrators in their processing of registration applications.

Proof of citizenship would have to be required from all voter registration applicants in order to avoid discriminating against minorities by requiring it only from those who look or sound foreign, or have names that sound foreign. Not all native born citizens have easy access to proof of citizenship, most because they have no birth certificate or passport at home. Those who do not have these documents at home would have to pay to obtain them and wait for them to be delivered. Some older citizens may find it impossible to obtain copies of their birth records either because there never was an official record of their birth or because their birth records were destroyed in fire, flood, or other natural disaster. Furthermore, voter registration officials might not be able to detect false documentation if it is presented.

Should Funding Be Provided for Recording Information on the Impact of Change of Address on Registration?

As noted above, Iowa suggested that the U.S. Postal Service add a question to its Change of Address Form to clarify if persons want the change to affect their voter registration. The State proposed the following: "Do you want this change of address to affect your voter registration? Y or N". The State suggested that responses to this question could be included in a currently unused byte of the NCOA record and provided to NCOA licensees. The State contended that it would help to eliminate many existing problems with temporary mailing addresses and convenience mailing addresses (e.g., mail forwarding services, P.O. Box numbers, business addresses). Iowa suggested that it might be possible to arrange funding to defray the additional expense in data capture. It may take Congressional action to obtain federal funding to implement this proposal. Otherwise, States may want to consider how to find funds in their own budgets.

Tabl 5-1

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

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

Table 5-1

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

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

Table 5-1

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

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

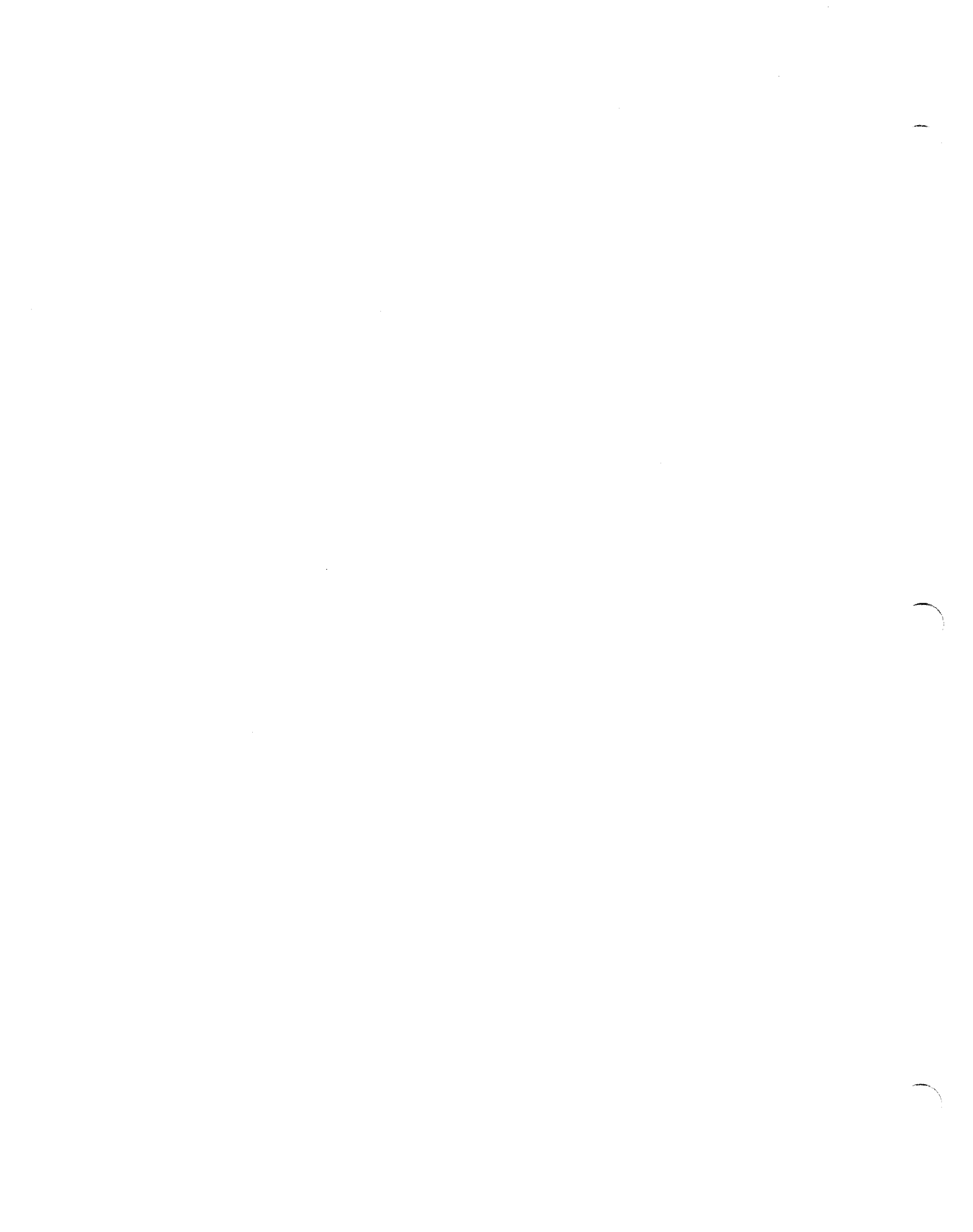
Table 5-1

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

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

Chapter 6

Problems and Solutions Regarding Fail-Safe Voting



CHAPTER 6

PROBLEMS AND SOLUTIONS REGARDING

FAIL-SAFE VOTING

The NVRA permits certain categories of registrants to affirm their voter registration address and vote despite their failure to notify the registrar of a change of address or the fact that the registrar may have recorded an incorrect address for them. These provisions are in keeping with one of the principles of the NVRA that, once registered, persons remain on the rolls as long as they are eligible to vote in that jurisdiction. While the law secures the right of these voters to vote and places some restrictions on where they are to vote, it leaves most decisions concerning the way such persons are to vote to the States.

Twenty-seven of the forty-five covered States did not relate any problems with fail-safe voting in their reports on the implementation of the Act in 1995-1996. Sixteen of these already had fail-safe voting provisions prior to implementing the NVRA.

Eighteen States reported some challenges in implementing fail-safe voting, seven of which had fail-safe voting provisions prior to implementing the NVRA. The problems and solutions reported by the States are summarized in Table 6-1. The challenges fell into the following categories:

- Reducing delays in voting;
- Dealing with delays in the vote count;
- Addressing voter misunderstandings and complaints;
- Correcting poll worker failure to adapt to new procedures; and
- Reducing the potential for fraud.

It is evident from the reports that some of the problems on election day were caused by problems in the administration of motor vehicle and agency registration, organized voter registration drives, and voter registration list maintenance. All, except perhaps some of the problems with organized voter registration drives, can be resolved administratively. The FEC also encourages States to review their fail-safe voting procedures to ensure that they meet the requirements of federal law.

Reducing Delays in Voting

States had experienced delays in voting prior to implementing the NVRA; however, several States reported delays during the last election cycle that are directly related to implementing the NVRA. The serious nature of significant delays in voting cannot be overemphasized. Significant delays stress election officials, test the patience and fortitude of the voters, and discourage voter participation.

Some States reported delays in voting due to the large number of people who had to affirm their current address on election day under NVRA provisions. In addition to this affirmation, poll workers spent time confirming the individuals' eligibility to vote using resources at the polls or by contacting the central election office. One State noted that incorrect NCOA addresses resulted in erroneous "inactive" status requiring affirmation and eligibility confirmation.

Some States also reported delays in processing voters because poll workers could not reach the central election office to confirm voter eligibility because of busy telephone lines.¹ Another State, which required fail-safe voters who moved away from their former precinct to vote at the new polling place, reported congestion at central election offices caused by voters who appeared there to vote because they did not know the location of their poll and could not get through to the election office on busy telephone lines.²

States reported the following solutions to reduce delays in voting:

- increasing the number of poll workers;
- expanding poll worker training;
- simplifying forms to help expedite fail-safe voter processing
- providing a variety of helpful information at the polls to help process fail-safe voters faster, such as a master list of "inactive" voters, supplemental precinct registers, and precinct maps;
- using pagers and cellular phones to increase the lines of communication between the polls and the central office;
- increasing phone bank operator training, the number of operators, the number of communication lines, and the number of computer terminals to combat the saturation of central office phone lines;
- streamlining procedures for processing calls to provide quicker response from the central office;

¹ The FEC received some telephone complaints on election day 1996 from voters who grew tired of waiting for poll workers to confirm their eligibility on busy phone lines.

² The FEC received numerous calls from voters in this State who could not find the number of their local election office in the phone book but needed to know the location of their polling place.

- using computer programs that included a street index to help the central office process calls more quickly;
- providing provisional ballots to fail-safe voters whose eligibility could not easily be determined on election day in an effort to expedite processing of these voters; and
- looking for alternatives to the NCOA program to avoid erroneous designation of inactive status.

A few States reported increasing the number of poll workers, but only Florida election officials reported plans to expand poll worker training and simplify forms to combat delays in voting. (The FEC has provided guidance for simplifying forms in Volume 13 of its Innovations in Election Administration series, entitled “Simplifying Election Forms and Materials”.)

Numerous States also reported that local jurisdictions provided helpful information in each of the precincts to expedite the processing of fail-safe voters. These resources included documents such as voter registration lists, a master list of “inactive” voters, detailed precinct maps, address indices for the precinct or the registrar’s entire jurisdiction, and pre-printed information notices for provisional ballot voters.

Missouri reported that pagers and cell phones were used in the precincts of some counties to increase communication lines between the polls and the central office and speed the processing of fail-safe voters. A few other States indicated that local jurisdictions increased phone bank operator training, the number of operators, the number of communication lines, and the number of computer terminals to combat the saturation of central office phone lines. Florida reported that local jurisdictions streamlined procedures for processing calls to provide quicker response from the central office. One county in that State proposes to use a computer program in future elections that includes a street index to help the central office process calls more quickly.

Iowa and Maine reported providing provisional ballots to fail-safe voters whose eligibility could not easily be determined by information available at the polling place or through contact with the local election office on election day in an effort to expedite the processing of these voters. Virginia reported that it is looking for ways to supplement the NCOA program to avoid the erroneous designation of “inactive” status, which resulted in unnecessary delays while voters completed the required affirmation.

The FEC notes that the following approaches used in some States also might help to process fail-safe voters more expeditiously:

- conducting a public information campaign around regularly scheduled confirmation mailings in order to encourage pre-election responses from registrants receiving these notices and others who have failed to report their change of address to the local election official;
- including information about fail-safe voting procedures and how registrants can keep their registration records up-to-date in voter information materials;
- providing public notice of fail-safe voting provisions immediately prior to and on election day;
- listing the local election office prominently in the phone book under topics where voters are likely to look (e.g.; election information, voter registration, etc.) to make it easier for registrants to find out how to report change of address and to locate their polling place;
- providing information (such as detailed maps and indices for the jurisdiction) at libraries and to candidates, political parties, and get-out-the-vote drives to help guide voters to the correct polling place;
- providing notices at the entrance to polling places to inform fail-safe voters of their options; and
- employing roving trouble-shooters who can “pinch hit” in precincts that are experiencing substantial delays.

States that are having problems with delays in voting also may want to review the choices they made in implementing the NVRA list maintenance provisions as well as where fail-safe voters vote, how they vote, and how their eligibility is confirmed. They may find that small adjustments to their current implementation practices may help to reduce the likelihood of delays while maintaining the integrity of the election process.

Dealing With Delays in the Vote Count

A couple of States reported a delay in the vote count as a direct result of their implementing the fail-safe voting provisions of the NVRA. In both instances, the State required fail-safe voters to use provisional ballots, which were not counted until their voter eligibility was verified by the central election office after election day. Anecdotal evidence suggests that this occurred in other States as well, but was considered a normal course of doing business, not a problem.

Delayed vote counts mean more work for the election office. Not only must staff be available to process ballots after the election; the media, candidates, political parties, and the public must be reassured that the delay is not due to the election office’s attempts to manipulate the outcome.

Yet, some States have chosen to use provisional ballots for some or all of their fail-safe voters in order to efficiently process these voters at the polls and to ensure that only the ballots of eligible voters are counted. Some States, such as Washington and California, have used this procedure for many voters for some time. For the most part, election officials, campaigns, the media, and the general public in these States have accepted any related expense or delay. States using it for the first time for many voters in 1995-1996, however, did have to make the extra effort to allay concerns of the campaigns, media, and the public.

Only North Carolina reported finding a solution to the problem of the delayed vote count. They chose to train more staff to handle provisional ballots and to delay their “canvass day” to allow more time to process provisional ballots. States that continue to find delays in the vote count to be a problem may also want to review the choices they made in implementing fail-safe voting to determine if some or all of the fail-safe voters might be offered regular ballots at the polling place without threatening the integrity of the election. Some States allow fail-safe voters to vote a regular ballot once they have affirmed their current address information in writing. Others permit fail-safe voters to vote a regular ballot if they remain within the same precinct in which they were registered. Still others permit fail-safe voters to vote regular ballots if they have shown appropriate identification.³

States that continue experiencing delays in the vote count may also want to review their election laws to ensure that primary, runoff, and general elections are not scheduled too close together and that deadlines for contesting elections are not set too near election day. Finally, if local jurisdictions in the State use paper provisional ballots that cannot be tabulated by computer and substantial delays continue, the State and affected local jurisdictions may want to explore the feasibility of procuring a computer-assisted vote counting system capable of expediently counting provisional ballots once the voter’s eligibility has been verified.

Addressing Voter Misunderstandings and Complaints

Every election is subject to voter misunderstandings and complaints; however, election officials in a small number of States reported that some of these in the last election cycle were the direct result of implementing the NVRA. Some voters misunderstood the provisions of the NVRA, assuming they could vote if they had a driver’s license (even an out of State license) regardless of

³ It is an open question whether States can merely maintain their existing practice of requiring *all* voters to produce certain identification without violating the NVRA. The U.S. Department of Justice has not taken a position on this issue. In most instances, however, requiring *only* fail-safe voters to produce such identification appears to violate NVRA provisions.

whether or not they were registered. Other misunderstandings occurred because voters had moved and did not know the location of their new polling place. There were complaints from some voters about having to go to another polling place, while others expressed discomfort about voting a provisional ballot. Some voters, who claimed to have registered at their motor vehicle department or through an organized voter registration drive such as Rock the Vote, understandably were upset when they found their registration application had not been processed (usually because it had not been received by the appropriate local election official).

The incidence of these problems will probably decrease as both voters and election officials become more familiar with the NVRA. In addition, some States found ways to address these problems on election day. Indiana reported that it permitted those who were not on the registry to vote if they provided a receipt for a registration application from a motor vehicle office or agency that was dated before the registration deadline. Tennessee reported permitting those who did not want to vote provisional ballots at the poll to vote a full regular ballot at the central election office.

States experiencing a significant number of complaints may want to review the procedures they chose to implement under the NVRA to determine if changes could address this problem. States also may want to consider implementing public information programs and producing voter education materials that provide simple descriptions of how individuals can register to vote, how applicants are informed when their application has been processed by the appropriate election official, and how fail-safe voting is implemented.

Correcting Poll Worker Failure to Adapt to New Procedures

A few States reported they had difficulty getting poll workers to adapt to new procedures required when implementing the NVRA's fail-safe voting provisions. One of these States reported that poll workers provided the wrong ballot to some fail-safe voters in the last general election. Poll worker failure to adapt to new procedures may have contributed to reported delays in voting and complaints received.

In order to address the problem, Illinois initiated expanded poll worker training. Kansas increased the written instructions for their poll workers and gave them to local election offices to distribute. An election official in Florida found that simplifying forms helped poll workers better adapt to new procedures.

State and local election officials should review their forms and procedures to determine if they can be made more user friendly. It may help poll workers to

process fail-safe voters more quickly and correctly if they are given simple written instructions and can use simplified forms and procedures. The FEC provided guidance for simplifying forms in Volume 13 of its Innovations in Election Administration series, entitled “Simplifying Election Forms and Materials”.

Reducing the Potential for Fraud

Election officials from four States reported concerns about the potential for fraud under the NVRA fail-safe voting provisions. One Florida jurisdiction, where fail-safe voters who move to a new precinct are required to vote at their new polling place, expressed concern about the possibility of an individual voting at both their old and new polling places. Maryland and Tennessee reported that some voters who affirmed residence in the jurisdiction were subsequently found to live there no longer. These States reported that prosecution of these individuals was being considered. Concerns that some deceitful voters, who no longer live where they claimed, might determine the outcome in close races led Utah to consider the use of provisional ballots for voters moving to a new precinct.

Some local jurisdictions in Florida and Missouri reduced the potential for vote fraud by routinely notifying the old precinct when someone appeared to vote in a new precinct. States also may want to weigh the costs and benefits of using provisional ballots for some or all fail-safe voters if they find the NVRA requirement for affirmation of current address is insufficient to deter individuals from voting twice, or voting where they no longer live.⁴

Provisional ballots can help protect the integrity of the election by permitting election officials to verify the voter’s eligibility before counting the ballot. In election jurisdictions where fail-safe voters who moved outside their old precinct must vote at their new polling place, provisional ballots can prevent double voting by allowing election officials to check the list of voters from the former polling place before counting the ballot from the new one.

Unfortunately, provisional ballots can delay determination of the official vote count. They also have been used in some communities to repeatedly discriminate against racial minorities. States considering such an approach, therefore, should consider: (1) clearly defining when poll workers can use provisional ballots; (2) requiring local officials to notify provisional ballot voters if their ballot is rejected and the reason for doing so; and (3) requiring that provisional ballot voters be notified how to appeal a rejection of their ballot.

⁴ Committee reports accompanying the passage of the NVRA clearly express Congress’s intent to permit States to require fail-safe voters to use provisional ballots.

Persons attempting to vote more than once in the same election and those who falsely affirm their current registration address should be referred for prosecution. Some States take the view that the prompt, public prosecution of even a small number of miscreants may deter others from attempting the same thing. One problem with this approach is that, while vigorous prosecution could help to discourage unlawful voting, some States do not provide penalties that would provide a sufficient deterrent. Another is that federal, State, and local law enforcement agencies often do not have the resources to prosecute each case. States may want to review their enforcement programs to determine if they can be strengthened by providing stiffer penalties and more resources for State and local prosecutors.

Ensuring Fail-Safe Voting Provisions Meet Requirements of Federal Law

Some States reported that they may require fail-safe voters to produce identification before they can vote any ballot. The NVRA permits requiring such voters to *confirm* their new address *only* when: (1) the voters have moved from the area covered by their former precinct to an area covered by a new precinct; (2) the State both permits these voters to choose among three possible places (old polling place, new polling place, or central location) at which they can provide address corrections and allows them to vote at all three; *and* (3) the voters choose to vote at the new polling place. In other scenarios, however, requiring *only* fail-safe voters to produce such identification appears to violate NVRA provisions. It is an open question whether States can maintain their existing practice of requiring *all* voters to produce certain identification without violating the NVRA. Furthermore, severely limiting what is acceptable identification and summarily rejecting any voter who does not have it can discriminate against minorities, the poor, and the illiterate, thereby violating the Voting Rights Act and the equal protection clause of the U.S. Constitution.

Table 6-1

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

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

Table 6-1

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

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

Appendix A

FEC RECOMMENDATIONS

FEC RECOMMENDATIONS

The Federal Election Commission's survey of the 45 States covered by the NVRA invited them to describe any problems they may have encountered and any ideas or recommendations they might have for improving the administration of the Act. The bulk of their responses focused on some of the more technical procedures associated with list maintenance, fail-safe voting, and the agency declination procedure. Many of these technical recommendations depend upon how individual States have chosen to implement various provisions of the Act. We limit our recommendations in this report to those universal enough to be applicable to all States covered by the Act.

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

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

The rationale for each of these recommendations follows.

RECOMMENDATION 1: that States, which do not require all or part of the applicant's social security number, voluntarily (1) amend their

election codes to require but not divulge only the last four digits of their social security number from all new voter registration applicants; and (2) endeavor to obtain but not divulge that same item of information from all current registered voters.

Several election officials expressed their concerns about the problem of identifying multiple registrations by the same individual from different addresses. Others had problems identifying applications that were duplicates of registrants on file. Still others reported problems with changes of address when the applicant neglected to provide a former address. These problems are exacerbated when applicants provide incomplete names (such as using nicknames or initials instead of full names, providing no middle name or initial, or failing to indicate the appropriate suffix of "Jr." or "Sr."). There has also been some concern about the prospect of undocumented aliens registering to vote. And finally, there have been some concerns about the potentiality of persons voting in the name of others.

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

There has for years been a search for some unobtrusive, inexpensive way of ascertaining individual identities. Yet none are at hand. Fingerprints, voice prints, retinal prints, and even DNA prints, though technically possible,

¹ The Federal Election Commission considered requiring the last four digits of the social security number on the national mail voter registration form as a means of meeting privacy concerns while still allowing the use of these numbers for identification purposes. The Commission rejected this approach because it would have arbitrarily imposed on the States an identification system that might conflict with existing State needs and practices, such as established computerized voter registration systems that used the full social security number for records comparisons. The Commission, instead, provided a field for whatever identification number might be required or requested from the applicant's State of residence. This field would support any States that voluntarily implement a requirement for the last four digits.

are far too intrusive and expensive for all but the rarest applications. And none suit the election environment. Even photo IDs entail major expenses, both initially and in maintenance, and seem an undue and potentially discriminatory burden on citizens in exercising their basic right. Moreover, the opportunity to register to vote by mail imposes severe limitations on what can be practically required of the citizenry.

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

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

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

abuses; and requiring only the last four digits of registrants' social security numbers seems, for voter registration purposes, the easiest way to do that.

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

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

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

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

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

All of these problems have in common the issue of information transmittal, storage, and retrieval. In order to resolve these problems, as well as to gain a host of other benefits, the Federal Election Commission

recommends that all States computerize their voter registration files both locally and statewide and further, that these computerized voter registration systems be linked where feasible with the collateral public agencies that are appropriate under the NVRA. In order to hasten this process, the Congress may want to consider providing some sort of financial assistance to the States -- perhaps in the form of a matching-fund grant program for them to develop or enhance such systems.

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

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

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

Such systems are by no means new. In fact, over a dozen States already maintain some form of statewide computerized voter registration list. Whether their level of computerization is "state of the art" (such as the Kentucky system of direct on-line access between the election offices, the motor vehicle offices, and the public agency offices), or whether their computerization has been more modestly developed to include only a portion

or even one of these offices, States unanimously report that their initial investment in a computerized system has proven worthwhile.

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

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

Computerization also had a favorable impact when integrated with agency based voter registration systems. The New York State Board of Elections reported that the development of an extensive NVRA database contributed significantly to the success of their agency registration programs. The New York database contains all agency site information, tracks site supply order and shipping histories, and stores all voter registration, declination, and other statistical information from participating agencies. They find that the database allows election officials to keep current on-site information changes, and provides the capability of producing up-to-date statistical reports.

An even more ambitious program of computerization was undertaken in Guilford County, North Carolina where on-line voter registration capability was given to the majority of offices in the Departments of Social Services, Health and Mental Health. During the first year of on-line service, 81% of these agency's transactions were executed on-line. The computer program used numbers to identify each agency employee to enable election officials to pinpoint where errors were occurring to provide the individuals

with additional procedural clarification or training. Since all changes to a voter's registration information were logged as "history" transactions in the computer system, the integrity of the voting records was maintained.

This on-line system provided additional savings and quality improvement by reducing the number of duplicate registrations. Agency personnel were immediately able to check the voter files anytime a person requested to register or to make a change in registration information. If the voter was already registered, or the record on file was correct, no further action was necessary. During the first year, Guilford County election officials received only 18 duplicate registrations from these agencies, 13 of which came in the first quarter of the year. All of the duplicates came from agency transactions *not* executed on-line.

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

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

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

RECOMMENDATION 3: that the U.S. Postal Service (1) create a new class of mail for "official election material" that encompasses all mail items requisite to the NVRA and provide the most favorable reduced

rates affordable for the first class treatment of such mailings; and (2) provide space in their postal lobbies free of charge to State and local election officials for voter registration materials.

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

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

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

In addition, some jurisdictions may employ

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

At the same time, Section 8(h)(1) of the Act amends 39 U.S.C. 36 to read “The Postal Service shall make available to a State or local voting registration official the rate for any class of mail that is available to a qualified nonprofit organization under section 3626 for the purpose of making a mailing that the official certifies is required or authorized by the National Voter Registration Act of 1993.”

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

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

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

It would appear, then, that the “Reduced Postal Rate” offered in Section 8(h)(1) of the NVRA would not pertain, either for technical or practical reasons, to most of the mailings required or authorized by the Act. And the volume of all mailings required by the Act results in substantial costs to local jurisdictions (see Section 5 above “Regarding Costs”) which are, in most cases, borne by local property taxes.

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

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

Appendix B

VOTING AGE POPULATION
AND VOTER REGISTRATION

NOTES ON THE DATA ELEMENTS IN TABLE 1

- Data on all States are presented whether or not the State is under the NVRA. The names of the States exempt from the NVRA are printed in italics.
- VAP refers to Voting Age Population. The figures are from the U.S. Bureau of Census Estimated Voting Age Population based on the November 1996 Current Population Survey. VAP figures include a significant number of people *not eligible* to vote, including resident aliens, convicted felons (in most States), and those individuals who have been declared non-compos mentis by a court of law. The numbers of such persons -- especially resident aliens -- vary remarkably from State to State.
- Registration figures on Idaho, Minnesota, New Hampshire, North Dakota, Vermont, Wisconsin, and Wyoming were obtained from the Voter Registration and Turnout series produced by the Government Division of the Congressional Research Service at the Library of Congress with data provided by Election Data Services.
- Registration figures on the remaining States were provided by the States themselves and may be incomplete owing to incomplete local reporting or because of delays in implementing the NVRA. As a result of this incomplete reporting, the total registration figures for 1996 will in some cases be at variance with 1996 registration figures reported elsewhere by the FEC and by other authoritative sources.
- Registration figures are provided in total registrants as well as in "active" registrants and "inactive" registrants in States that made such a distinction. ("Inactive" registrants are essentially all those that were, based on information provided by the Postal Service, mailed a confirmation notice but neither responded nor offered to vote in the subsequent federal election).
- The numbers presented in this report to the States are at some variance to the numbers presented in our report to the Congress owing to the correction of some State submissions and the occasional typo.

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

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

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

Table 1 - Voting Age Population and Voter Registration

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

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	
MARYLAND				
Total VAP	3,705,000	3,750,000	3,820,000	
Total Active		2,299,580	2,577,191	
% Active		61.32%	67.47%	
Total Inactive			110,060	
Total REG	2,463,010	2,299,580	2,687,251	
% REG	66.48%	61.32%	70.35%	
MASSACHUSETTS				
Total VAP	4,616,000	4,564,000	4,649,000	
Total Active		3,153,341	3,494,927	
% Active		69.09%	75.18%	
Total Inactive			329,749	
Total REG	3,351,918	3,153,341	3,824,676	
% REG	72.62%	69.09%	82.27%	
MICHIGAN				
Total VAP	6,947,000	6,983,000	7,072,000	
Total Active		6,207,662	6,677,079	
% Active		88.90%	94.42%	
Total Inactive				
Total REG	6,147,083	6,207,662	6,677,079	
% REG	88.49%	88.90%	94.42%	
MINNESOTA <i>(exempt from the NVRA)</i>				
Total VAP	3,272,000	3,362,000	3,422,000	
Total Active		2,857,463	3,067,802	
% Active		84.99%	89.65%	
Total Inactive				
Total REG	3,138,901	2,857,463	3,067,802	
% REG	95.93%	84.99%	89.65%	
MISSISSIPPI				
Total VAP	1,873,000	1,905,000	1,967,000	
Total Active		1,625,640	1,731,852	
% Active		85.34%	88.05%	
Total Inactive			94,101	
Total REG	1,640,150	1,625,640	1,825,953	
% REG	87.57%	85.34%	92.83%	

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

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

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

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

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

Tabl 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	
WYOMING	<i>(exempt from the NVRA)</i>			
Total VAP	329,000	343,000	356,000	
Total Active		337,863	240,711	
% Active		98.50%	67.62%	
Total Inactive				
Total REG	234,260	337,863	240,711	
% REG	71.20%	98.50%	67.62%	
TOTALS FOR ALL STATES				
Total VAP	189,529,000	193,650,000	196,498,000	
Total Active		129,431,244	142,995,856	
% Active		66.84%	72.77%	
Total Inactive		1,652,436	7,083,794	
Total REG	133,801,584	130,979,705	149,829,538	
% REG	70.60%	67.64%	76.25%	
ADJUSTED TOTALS FOR THE 44 NVRA STATES				
Total VAP	179,774,000	183,626,000	186,246,000	
Total Active	0	124,559,053	136,791,845	
% Active	0	67.83%	73.45%	
Total Inactive	0	1,652,436	8,138,763	
Total REG	128,772,946	126,107,514	144,680,496	
% REG	71.63%	68.68%	77.68%	

Appendix C

SOURCES OF VOTER REGISTRATION APPLICATIONS
1995-1996

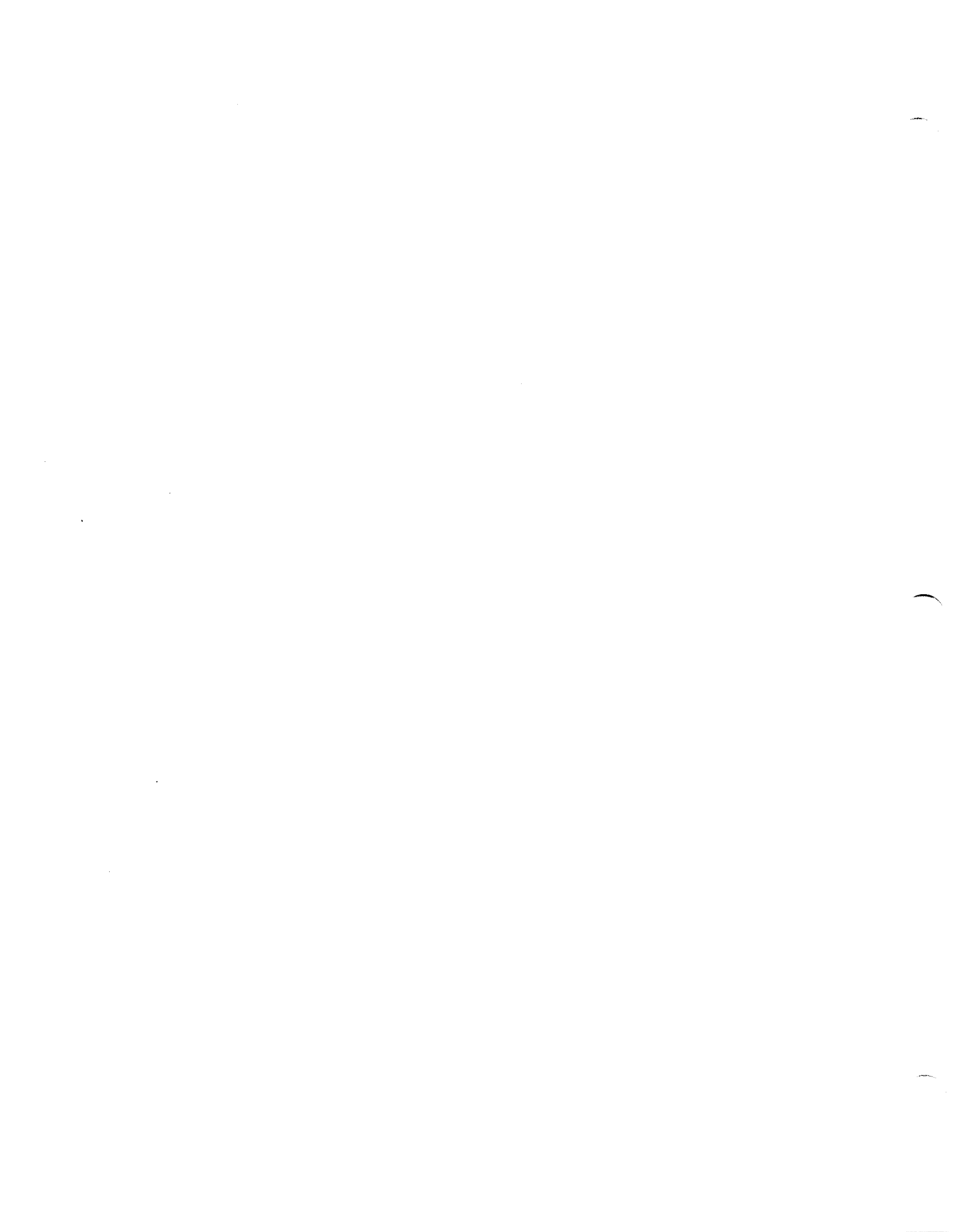


Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
ALABAMA					
Motor Vehicle Offices	90,356	16.12%	10,189	11.28%	
By mail	106,199	18.95%	3,635	3.42%	
Public Assistance Offices	80,096	14.29%	5,514	6.88%	
Disability services	3,202	0.57%	167	5.22%	
Armed Forces Offices	4,730	0.84%	334	7.06%	
State Designated Sites	17,512	3.12%	746	4.26%	
All other sources	258,405	46.10%	11,429	4.42%	
TOTAL	560,500		32,014	5.71%	370,298
ALASKA					
Motor Vehicle Offices	55,215	32.35%	1,415	2.56%	
By mail	21,264	12.46%	1,411	6.64%	
Public Assistance Offices	3,673	2.15%	69	1.88%	
Disability services	133	0.08%	5	3.76%	
Armed Forces Offices	8	0.00%	-	0.00%	
State Designated Sites	40,668	23.83%	1,907	4.69%	
All other sources	49,708	29.13%	8,915	17.93%	
TOTAL	170,669		13,722	8.04%	78,589
ARIZONA					
Motor Vehicle Offices	81,317	15.52%	4,430	5.45%	
By mail	272,550	52.01%	5,667	2.08%	
Public Assistance Offices	17,845	3.41%	1,212	6.79%	
Disability services	2,662	0.51%	367	13.79%	
Armed Forces Offices	7,278	1.39%	1,198	16.46%	
State Designated Sites	57,108	10.90%	4,251	7.44%	
All other sources	85,282	16.27%	6,598	7.74%	
TOTAL	524,042		23,723	4.53%	325,415
ARKANSAS					
Motor Vehicle Offices	114,325	40.54%	9,295	8.13%	
By mail	52,305	18.55%	522	1.00%	
Public Assistance Offices	28,324	10.04%	368	1.30%	
Disability services	1,570	0.56%	15	0.96%	
Armed Forces Offices	956	0.34%	6	0.63%	
State Designated Sites	6,670	2.37%	25	0.37%	
All other sources	77,873	27.61%	938	1.20%	
TOTAL	282,023		11,169	3.96%	94,574

Table 2 - Sources of Voter Registration Applications 1995-1996

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

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

Tabl 2 - Sources of Voter Registration Applications 1995-1996

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
IDAHO					
<i>is exempt from the NVRA</i>					
ILLINOIS					
Motor Vehicle Offices	295,255	33.25%	27,670	9.37%	
By mail	94,681	10.66%	6,817	7.20%	
Public Assistance Offices	33,837	3.81%	2,726	8.06%	
Disability services	26,676	3.00%	2,730	10.23%	
Armed Forces Offices	1,706	0.19%	115	6.74%	
State Designated Sites	5,068	0.57%	368	7.26%	
All other sources	430,651	48.50%	22,842	5.30%	
TOTAL	887,874		63,268	7.13%	853,293
INDIANA					
Motor Vehicle Offices	287,198	27.10%	27,903	9.72%	
By mail	478,351	45.14%	33,637	7.03%	
Public Assistance Offices	83,853	7.91%	6,872	8.20%	
Disability services	8,388	0.79%	990	11.80%	
Armed Forces Offices	2,697	0.25%	397	14.72%	
State Designated Sites	55,208	5.21%	5,777	10.46%	
All other sources	143,971	13.59%	6,869	4.77%	
TOTAL	1,059,666		82,445	7.78%	708,486
IOWA					
Motor Vehicle Offices	240,316	32.85%	15,090	6.28%	
By mail	142,058	19.42%	3,892	2.74%	
Public Assistance Offices	26,345	3.60%	677	2.57%	
Disability services	950	0.13%	25	2.63%	
Armed Forces Offices	507	0.07%	8	1.58%	
State Designated Sites	-	0.00%	-		
All other sources	321,338	43.93%	5,645	1.76%	
TOTAL	731,514		25,337	3.46%	299,971
KANSAS					
Motor Vehicle Offices	186,604	49.46%	18,084	9.69%	
By mail	56,228	14.90%	5,903	10.50%	
Public Assistance Offices	8,419	2.23%	760	9.03%	
Disability services	1,028	0.27%	38	3.70%	
Armed Forces Offices	630	0.17%	31	4.92%	
State Designated Sites	11,122	2.95%	1,655	14.88%	
All other sources	113,248	30.02%	12,815	11.32%	
TOTAL	377,279		39,286	10.41%	156,739

Table 2 - Sources of Voter Registration Applications 1995-1996

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
KENTUCKY					
Motor Vehicle Offices	731,840	48.93%	-	0.00%	
By mail	50,505	3.38%	-	0.00%	
Public Assistance Offices	63,477	4.24%	-	0.00%	
Disability services	4,624	0.31%	-	0.00%	
Armed Forces Offices	1,061	0.07%	-	0.00%	
State Designated Sites	23,402	1.56%	-	0.00%	
All other sources	620,644	41.50%	-	0.00%	
TOTAL	1,495,553			0.00%	392,278
LOUISIANA					
Motor Vehicle Offices	291,805	21.68%	6,908	2.37%	
By mail	226,014	16.79%	3,226	1.43%	
Public Assistance Offices	74,636	5.55%	1,042	1.40%	
Disability services	5,709	0.42%	92	1.61%	
Armed Forces Offices	4,826	0.36%	28	0.58%	
State Designated Sites	35,605	2.65%	515	1.45%	
All other sources	707,204	52.55%	268	0.04%	
TOTAL	1,345,799		12,079	0.90%	597,691
MAINE					
Motor Vehicle Offices	106,434	39.47%	7,581	7.12%	
By mail	46,254	17.15%		0.00%	
Public Assistance Offices	16,849	6.25%		0.00%	
Disability services	118	0.04%		0.00%	
Armed Forces Offices	54	0.02%		0.00%	
State Designated Sites	7,538	2.80%		0.00%	
All other sources	92,426	34.27%	3,916	4.24%	
TOTAL	269,673		11,497	4.26%	159,934
MARYLAND					
Motor Vehicle Offices	165,267	33.36%	7,827	4.74%	
By mail	222,233	44.85%	6,858	3.09%	
Public Assistance Offices	22,982	4.64%	821	3.57%	
Disability services	671	0.14%	9	1.34%	
Armed Forces Offices	188	0.04%	-	0.00%	
State Designated Sites	25,802	5.21%	228	0.88%	
All other sources	58,306	11.77%	1,965	3.37%	
TOTAL	495,449		17,708	3.57%	477,741

Table 2 - Sources of Voter Registration Applications 1995-1996

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

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

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

Table 2 - Sources of Voter Registration Applications 1995-1996

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

Table 2 - Sources of Voter Registration Application 1995-1996

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

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

Table 2 - Sources of Voter Registration Applications 1995-1996

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
WISCONSIN	<i>is exempt from the NVRA</i>				
WYOMING	<i>is exempt from the NVRA</i>				
UNITED STATES					
Motor Vehicle Offices	13,722,233	33.09%	892,355	6.50%	
By mail	12,330,015	29.73%	505,959	4.10%	
Public Assistance Offices	2,624,748	6.33%	162,443	6.19%	
Disability services	178,015	0.43%	13,696	7.69%	
Armed Forces Offices	76,008	0.18%	6,594	8.68%	
State Designated Sites	1,732,475	4.18%	90,415	5.22%	
All other sources	10,810,934	26.07%	480,489	4.44%	
TOTAL	41,474,428		2,154,408	5.19%	26,075,055



If You Have Questions About the NVRA or About the Election Process in General, You Can Contact the FEC's Office of Election Administration at:

Office of Election Administration
999 E. Street, N.W.
Washington, D.C. 20463

Toll free tele: 800/424-9530
Direct tele: 202/694-1095
FAX: 202/219-8500

Individual staff members may be contacted either through the numbers above or else by the following direct telephone numbers or e-mail addresses:

Penelope Bonsall, Director	202/694-1097	pbonsall@fec.gov
Bill Kimberling, Deputy Director	202/694-1094	bkimberling@fec.gov
Peg Sims, Elections Specialist	202/694-1092	psims@fec.gov
Brian Hancock, Elections Specialist	202/ 694-1096	bhancock@fec.gov
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Be Sure To Check Out Our WEB Site At:

<<http://www.fec.gov>>

FEDERAL ELECTION COMMISSION
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