

# Implementation of Computerized Voter Registration Databases

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The Help America Vote Act of 2002 (HAVA)



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# Registering to Vote in the U.S.

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- Federal elections in the U.S. are administered on a decentralized basis by local governments:
  - To be eligible to vote, you must be 18 years old, a U.S. citizen, and meet residency requirements as defined by state law.
  - Most states require voters to register by completing a voter registration form up to 30 days before an election.
  - Seven states allow election day voter registration (Idaho, Maine, Minnesota, New Hampshire, Wisconsin, Montana and Wyoming).
  - One state, North Dakota, has no voter registration.

# National Voter Registration Act of 1993

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- Federal requirements: In 1993, Congress passed the National Voter Registration Act (NVRA), which requires states to:
  - Accept mail-in voter registration forms
  - Accept voter registration at state departments of motor vehicle offices (DMV's) when individuals are applying for a driver's license
  - Accept voter registration at state offices that provide public assistance (welfare) or services for persons with disabilities
  - Set standards for deleting registered voters who have moved or not voted in elections

*Voter registration forms can also be downloaded from the Internet or picked up at government offices, libraries, schools, or through registration programs sponsored by NGO's*

## Voter Registration Application

Before completing this form, review the General, Application, and State specific Instructions.

Are you a citizen of the United States of America? <input type="checkbox"/> Yes <input type="checkbox"/> No		This space for office use only.				
Will you be 18 years old on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No						
<p style="color: red; font-size: small;">If you checked "No" in response to either of these questions, do not complete form.                  (Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)</p>						
1	(Circle one) Mr. Mrs. Miss Ms.	Last Name	First Name	Middle Name(s)	(Circle one) Jr Sr II III IV	
2	Home Address		Apt. or Lot #	City/Town	State	Zip Code
3	Address Where You Get Your Mail If Different From Above			City/Town	State	Zip Code
4	Date of Birth ____/____/____ Month Day Year		5 Telephone Number (optional)	6 ID Number - (See Item 6 in the instructions for your state)		
7	Choice of Party <small>(see item 7 in the instructions for your State)</small>		8 Race or Ethnic Group <small>(see item 8 in the instructions for your State)</small>			
9	I have reviewed my state's instructions and I swear/affirm that: <input type="checkbox"/> I am a United States citizen <input type="checkbox"/> I meet the eligibility requirements of my state and subscribe to any oath required. <input type="checkbox"/> The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.			Please sign full name (or put mark) ▲ _____ Date: _____ Month Day Year		

If you are registering to vote for the first time: please refer to the application instructions for information on submitting copies of valid identification documents with this form.

### Please fill out the sections below if they apply to you.

If this application is for a change of name, what was your name before you changed it?

A	Mr. Mrs. Miss Ms.	Last Name	First Name	Middle Name(s)	(Circle one) Jr Sr II III IV	
If you were registered before but this is the first time you are registering from the address in Box 2, what was your address where you were registered before?						
B	Street (or route and box number)		Apt. or Lot #	City/Town/County	State	Zip Code

If you live in a rural area but do not have a street number, or if you have no address, please show on the map where you live.

C	<ul style="list-style-type: none"> <li><input type="checkbox"/> Write in the names of the crossroads (or streets) nearest to where you live.</li> <li><input type="checkbox"/> Draw an X to show where you live.</li> <li><input type="checkbox"/> Use a dot to show any schools, churches, stores, or other landmarks near where you live, and write the name of the landmark.</li> </ul>	NORTH ↑    			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Example</td> <td style="width: 10%; text-align: center;">St Road</td> <td style="width: 60%; text-align: center;"> </td> </tr> </table>	Example	St Road		
Example	St Road				

If the applicant is unable to sign, who helped the applicant fill out this application? Give name, address and phone number (phone number optional).

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Mail this application to the address provided for your State.

# Registration in 2004

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- For the 2004 Presidential election:
  - 177.3 million Americans were registered to vote, 86% of the Citizen Voting Age Population (CVAP)
  - This was 13 million more than for the 2000 election, when 82% of the CVAP was registered
  - 121.9 million ballots were counted, 70.4% of all registered voters and 60.7% of the CVAP
  - More than half of all ballots were cast in polling places on election day; the other half were cast through absentee ballots, early voting, and provisional ballots

# Help America Vote Act of 2002

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- HAVA only applies to federal elections, but the practical difficulty of applying different rules to state and local elections means that HAVA will affect all elections.
- HAVA requires states to implement:
  - Provisional voting
  - Identification for new mail registrants
  - Posting voter information in polling places
  - Accessible voting machines for the disabled
  - *Statewide computerized registration database*

# Registration Lists Prior to HAVA

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- In the U.S., most voter registration lists were maintained by counties and towns, not states – over 8,000 jurisdictions
- By 2000, only ten states, such as Michigan and Kentucky, had implemented statewide registration lists
- County lists were problematic because voters who moved did not always reregister in their new location or
- Notify their old county to cancel their prior registration
- It was not difficult for individuals to register in more than one location, and counties did not always receive death notices and apply them to their registration lists

# Statewide Database – § 303(a)

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- By 1/1/2006, all American states, as well as the District of Columbia and the territories of Guam, Puerto Rico, Virgin Islands and American Samoa, must have a *statewide voter registration list for use in federal elections* – (except North Dakota, which has no voter registration)
- By the 2004 election, 17 states already had fully functional statewide voter registration systems

# HAVA Legal Requirement

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- Statewide voter registration database requirements:
  - Single, uniform, official, centralized, interactive computerized list defined, maintained and administered by the state
  - Official registration list for all elections for federal office
  - Include every legally registered voter with unique identifying number such as Driver's License/Social Security Number
  - Coordinate with other state agency databases (like DMV)
  - Provide immediate electronic access by election officials
  - Enter registration information on an expedited basis

# Statewide Database – § 303(a)

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- All states must perform maintenance on the statewide list on a regular basis:
  - Must coordinate with state records on death and felony conviction status (where applicable) to delete ineligible voters
  - Cannot accept new registrations without Driver's License (DL) number/last four digits of Social Security Number (SSN) unless person has no number (unique identifier assigned)
  - Must verify DL/SSN numbers against state DMV database or national Social Security Administration database to make sure name and address match information on registration form
- The federal mail-in voter registration form must include:
  - New questions on citizenship, age, and identification numbers
  - New information on identification requirements for mail registrants

# Identification and Database Implications

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- 2004 election saw reports of **false voter registrations** submitted to election officials
- Culprits were usually **bounty hunters** – individuals paid for every voter registration form they turn in who have an incentive to make up false registrations, such as by using names and addresses from a telephone directory
- HAVA requirement that registrant submit a copy of ID with the application or show ID at the polling place and the requirement to provide a DL/SSN number will make it **harder to submit false registration forms** and easier for election officials to check the validity of the applications
- Statewide databases will prevent duplicate registrations and help speed up getting ineligible voters, such as the deceased, off of the registration lists

# Identification for New Mail Registrants § 303(b)

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- HAVA imposed a requirement that any individual who registers to vote by mail provide (either a copy with the registration form, or at the polling place the first time she votes):
  - A current and valid photo identification; or
  - A current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter
- Exemptions:
  - if State verifies Drivers License/SSN number on registration form with existing state record
  - if voter is qualified to vote absentee due to military or overseas service or disability
- If no ID, can vote provisional ballot and most states give the voter some period of time after the election to come to an election office with an ID to satisfy the requirement
  - Even with the new national voter ID requirements of HAVA, turnout in the 2004 election was the highest since the 1968 election, over 60%

# Minimum Requirements §§ 304-305

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- The registration database requirements are minimum requirements
- States can adopt more strict requirements as long as they are not inconsistent with HAVA and other federal laws
  - For example, some states have adopted stricter identification requirements that require all voters to present ID, not just mail registrants
- States have discretion in specific choices of methods of complying with all of the HAVA requirements, including the design and implementation of the registration database

# Federal Oversight

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The new federal agency established by HAVA, the Election Assistance Commission, does *not* have regulatory authority – it can only issue “voluntary” guidance to the states on the best way to implement these requirements – the U.S. Congress did not want the federal government to completely take over the administration of elections.

# Voter Registration Database Implementation

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- The HAVA database requirements were partly based on some state systems already in existence and considered a model for a registration list
- Michigan, for example, has a statewide registration system that does data matching with the state's department of vital records, which contains death records
- The registration system is also linked to the state's driver's license computer system, so if an individual changes the address on his driver's license, his voter registration address is automatically changed to his new address

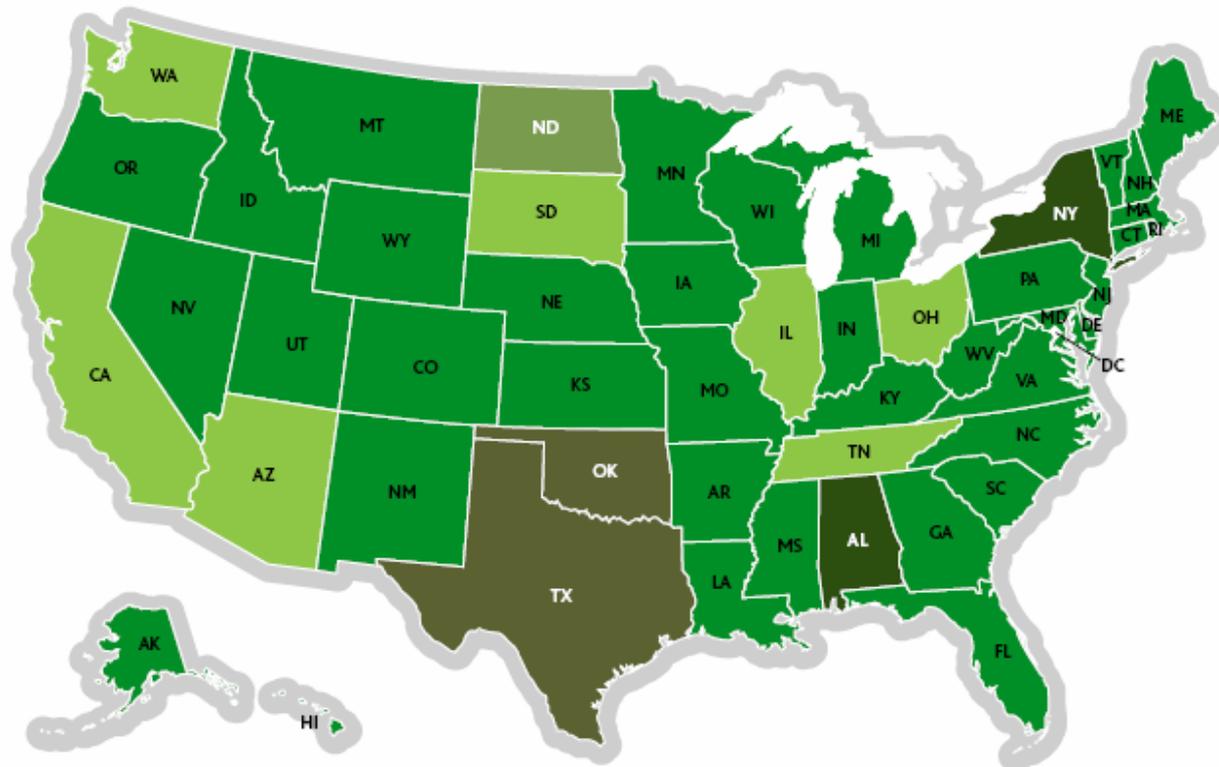
# Voter Registration Database Implementation

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- State officials are now trying to design registration systems that will also be linked with state prison records, to delete ineligible criminals who are not allowed to vote
- Registration systems are also being linked to public assistance (welfare) offices, to provide data matching between welfare recipients and voter registration
- We do not yet have the capability to provide data matching between different states (and there is no legislative effort to establish a national system), and states do not have the ability to data match with federal government agencies that have information on citizenship status, making it unfortunately relatively easy for non-citizens to register and vote.

# Statewide Voter Registration Databases, 2006

## Top Down vs. Bottom Up



**Top down:** The state possesses or will possess a single, unified, interactive system with data entered by local jurisdictions. (38 states)

**Bottom up:** Localities maintain their own lists and send information to the state list at regular intervals for record comparison. (7 states)

**Pending:** State is still in the process of deciding how to construct its database. (2 states)

**Hybrid:** The state database has characteristics of top-down and bottom-up systems. (2 states)

**No voter registration:** State is exempt from HAVA database requirements. (1 state)

# Meeting the January 1 Deadline

(from electionline.org)

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- As of January 1, 2006, 20% of the states did not yet have a registration database that met all of the requirements of the law
- Costs have varied greatly, from as little as \$1 million in South Dakota and Utah, to as much as \$20 million in Pennsylvania
- 21 states used in-house staff to design and build the database; 28 states hired private companies to construct the statewide databases
- 38 states opted for “top down” databases where a unified list is maintained by the state with registration information supplied by counties/towns
- 7 states opted for “bottom up” databases where counties/towns maintain local voter lists and submit information to a state compilation database at regular intervals
- New York has not started building its database – the state has been sued by the U.S. Department of Justice to enforce compliance with HAVA

# Database Problems

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- Private companies that have designed and built databases include Accenture, IBM, Hart InterCivic, MAXIMUS, PCC Technology Group, Saber Consulting, Quest Information Systems, Diebold, ES&S, Covansys, and Unisys.
- As with any major IT system, some states have had problems with implementation and testing.
- Several states cancelled their contracts with Accenture; other companies have also missed their completion deadlines; election officials have complained that some of the databases are too slow or burdensome to navigate and operate.

# Database Problems

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- There is no national standard of procedures, definitions, or security requirements to provided uniformity, testing or certification.
- Many states did not have their systems completed by January 1, and are still implementing, testing, and fixing software problems, in order to have their registration databases up and running by the date of the first federal elections in their states.
- 2006 is a federal election year, with Congressional elections scheduled in November and primaries occurring at different dates throughout the year in all of the states.

# Effects of Registration Databases

- Improve administration of elections
- Improve accuracy of voter registration lists
- Prevent ineligible individuals from voting
- Make sure eligible individuals who have registered are able to vote
- *This will become more and more important in the future – the 2004 Presidential election saw the largest number of individuals who have ever voted in an American election*

# For More Information

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**U.S. Department of Justice - Voting Section**

<http://www.usdoj.gov/crt/voting/hava/hava.html>

**Election Assistance Commission**

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

**Election Reform Information Project**

<http://www.electionline.org/index.jsp>

# Contact Information

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