

I. In Focus This Week

Report: Impact of the National Voter Registration Act

Report looks at impact of Act on elections in 2007-2008, numbers remain murky

By [Kat Zambon](#)

At least 189 million voters were eligible and registered to vote for the 2008 election, up 17.5 million voters since 2006 and equal to about 90 percent of the 213 million citizen voting age population according to a new [report](#) on the impact of the [National Voter Registration Act](#) (NVRA or “Motor Voter”) from 2006-2008. The [U.S. Election Assistance Commission](#) (EAC) released the report on June 30.

However, that number – and several others – came with caveats. The EAC asked states for the number of “registered and eligible” voters but 32 states and territories submitted the number of active and inactive voters while the rest offered the number of active voters.

“The EAC developed this policy of what the states submit shall be what’s in the report. States submit all sorts of things,” Kimball Brace, Election Data Services president and a report subcontractor said.

For example, when putting together the tables for the 2006 EAC report on the [Uniformed and Overseas Citizen Absentee Voting Act](#) (UOCAVA), Brace found that states reported a total of 9 million UOCAVA voters participated in the 2006 election. There are an estimated 6 million UOCAVA voters. “If we hadn’t caught that, that’s the way the EAC report would have been read,” he said.

“While the amount of data provided by the states to the EAC increases each year, caution must be exercised when interpreting data from this report and comparing it with data from any earlier election report as state data collection practices continue to evolve and vary from state to state,” a July 1 EAC [press release](#) said.

“When you design a survey by committee and that committee has the final say,” the nuance can get lost, Brace explained. “We are a federalist government and we have 50 little fiefdoms out there and 10,000 little, little fiefdoms” that each interpret the survey differently, he said.

A man with one watch knows what time it is while a man with two watches isn’t sure, Michael McDonald, George Mason University associate professor and a report subcontractor said, explaining the uncertainty regarding data. “We have thousands of local watches and fifty state watches and we’re trying to tell time by all of these different time pieces,” he said.

“We have a good idea of where voter registration is” but not exact, McDonald continued. “It’s just the sort of price we have with the system we have in the United States.”

Data collection is “getting better but it’s a long way from perfect and I don’t know that it ever will be perfect,” Toby Moore, Research Triangle Institute political geographer and a report subcontractor said. Structural problems inherent in comparing data between states persist but the EAC plans to get the 2010 survey to states by this fall so they can prepare accordingly, he added.

Getting the 2010 survey to states early means the survey developers cannot take into account the results of the 2008 survey, McDonald said. “I am a bit concerned that the EAC seems to want to lock in the next survey prematurely and I hoped that we would have some time to react to the data that have been presented now.”

Findings and recommendations

Though the data is imperfect, the report's writers found some clear trends. The voter registration rate is outpacing population growth.

"Voter registration is going to grow because you have more voters ... [but] we're registering more people than can be attributed to population growth," Moore said. "It's consistently outpaced population growth ... We're making voter registration easier, reaching into marginal groups that don't have high registration rates."

Moore attributed the growth to the excitement over the presidential election although he doesn't believe that trend will continue much in 2010.

One thing that struck the report contributors was the distribution of registrations and the variety of sources from which they came, for instance, in 2008, about 30 percent of registrations came from departments of motor vehicles compared to 85 percent in 2006.

"I don't think there was anything that suddenly caused people to go and mail in forms rather than stop at the driver's license agency," Brace said.

McDonald was struck by the volume of address changes that election officials handle. Election offices received about 60,000,000 voter registration forms and about 20,000,000 were address changes.

The 2008 survey was the first in which states were asked to submit information on Internet registration. Although only Arizona and Washington allowed residents to fill-out and submit their entire registration online, eight states reporting receiving 690,354 registrations over the Internet.

Arizona reporting receiving 660,183 applications online—this accounted for approximately 35 percent of all voter registrations received in the state from 2006-2008. Washington did not break down the numbers of online registrations with other types of registrations.

The other states reporting Internet registration — District of Columbia, Mississippi, Missouri, Montana, Pennsylvania, South Dakota and West Virginia — do not allow residents to complete the entire registration process online, but do allow them to fill out the forms online, which they then must print, sign and submit to state or local election offices.

"...part of the problem with the EAC survey is that the language of the question used was very broad and it allowed some states to think their special circumstances would qualify to put in numbers," Brace said. "As with most numbers in election administration, you need to have a big salt shaker and investigate what's really behind the numbers."

2008 was also the first time the EAC asked states to provide information on voters who register to vote and cast their ballots on the same day. Seventeen states reported that 3.6 million registration applications were completed "on days in which it was possible to register and vote." Twenty percent of those applications were either changes to existing registrations or duplicate registrations. More than 963,000 new voters were added to the registration rolls in 14 states by allowing voters to register and vote on the same day.

NVRA Section 9 requires the EAC to submit a report to Congress on the law's impact every two years. This is the eighth such report and the EAC's third as the previous five were submitted by the Federal Election Commission (FEC). Section 802(a) of the Help America Vote Act (HAVA) transferred the FEC's function under NVRA Section 9(a) to the EAC.

The 2008 survey was composed of two sections, a quantitative section and a statutory section intended to give an overview of practices in the states and explain the quantitative data. A report summarizing the statutory overview survey results will be released by the EAC later this summer.

II. Election Reform News This Week

- Issues continued to surround election officials in Tennessee this week on a variety of fronts. On Tuesday, [Secretary of State Tre Hargett](#) released a statement calling the Tennessee Voter Confidence Act, approved by the General Assembly in 2008 and scheduled for statewide implementation next year, a “Catch-22.” As Hargett explained in the press release, he had preferred a version of the legislation that delayed statewide requirements for approved optical-scan voting equipment until 2012. That bill passed the state House and failed narrowly in the Senate. Seeming to reinforce Hargett’s stance against implementing the law, the [Obion County](#) election commission voted this week to file a lawsuit against the state to stop the switch to optical-scan voting machines citing the inability to pay for the new system. According to the *Times News*, the [Hawkins County](#) election commission will take a voluntary “do-over” to correct a violation of the Open Meetings Act rather than face a potential lawsuit to void a secret ballot that occurred during its June 22 meeting. [Rutherford County](#) Elections Administrator Hooper Penuel, who still in his job, has joined a federal suit that was filed on behalf of seven fired election administrators. Penuel is seeking stop the election commission from firing him until the case is resolved.
- Things were tense at election boards in Georgia and Ohio this week. In [Forsyth County, Ga.](#), the board voted 2 to 1 to prohibit board member and chief registrar Gary L. Smith from gaining access the voter storage building. In early June, Smith relinquished his duties overseeing day-to-day functions of the county’s elections and voter registration department. According to the *Forsyth News*, the move came partly in response to the long-running issue over the legality of Smith serving as both chairman and head of the elections department. Since the switch, the county commission has voted to ask the U.S. Department of Justice to investigate the county’s elections department in response to issues raised in a countywide audit. In [Summit County, Ohio](#), according to the *Akron Beacon-Journal*, about the only thing the board of elections can agree upon is the starting and ending times of its meetings. The board squabbled about several topics this week — most centering on cost-cutting measures — and had five tie votes that will be sent to Ohio Secretary of State Jennifer Brunner. This brings the board’s tie votes to nine this year — more than the combined total of all of Ohio’s other 87 counties, according to Brunner’s office. The Summit board has been at odds for months on how to respond to Republican board member Brian Daley’s analysis that showed the board’s costs far exceed those of nine other large Ohio counties.
- The Howard County, Md. [election board is taking a five-day voluntary furlough](#) in solidarity with other state and county employees. Board member Raymond Rankin suggested the idea and the board approved the furlough at its June 22 meeting. The money will be deducted from the board members’ first paycheck of the 2010 fiscal year, which began July 1. The money, which amounts to about half of the members’ paycheck, will remain in the county budget. “The state and county employees that work at the Board of Elections have experienced furloughs as a result of the severe economic situation that we are saddled with, and we felt it was our duty to give back to the county just like the employees that work for us have done in the past several months,” board President Ann Balcerzak said in a written statement.
- The [Standards Board of the United States Election Assistance Commission](#) (EAC) has selected officers to serve through June 2010. Clerk Dan English, of Kootenai County, Idaho, is the chair; North Dakota Deputy Secretary of State Jim Silrum is the vice chair; and Indiana Elections Co-Director Brad King is the secretary. The officers were selected by the executive board of the Standards Board, which consists of nine members elected by the Standards Board. Officers serve one-year terms.

III. Opinion

National: [Voter registration](#); [Online voting](#)

California: [Vote-by-mail](#), [II](#), [III](#)
Minnesota: [Voting system](#); [Recount](#)
New Jersey: [Morris County](#)
Oregon: [Election reform](#)
Pennsylvania: [Pike County](#)
Tennessee: [Political firings](#); [Voting machines](#)
Texas: [Voter ID](#)
Virginia: [Instant-runoff voting](#)

***some sites require registration*

IV. Funding Resources/Training Sessions

Help America Vote College Poll Worker Program (College Program). The United States Election Assistance Commission (EAC) will award a total of \$750,000 in competitive grants under the Help America Vote College Poll Worker Program (College Program) to recruit college students to serve as poll workers. The two-year grant award will be used to recruit, train and support college students to assist state and local governments in the administration of elections by serving as nonpartisan poll workers or assistants. Proposals should include a two-year project plan and a budget supporting activities for election cycles in both 2009 and 2010. If an organization received a College Program grant last year, they are eligible to apply only as a re-competing grantee. These grantees must develop innovative programs to recruit poll workers with disabilities and develop training material to help poll workers create receptive and accommodating polling place environments on Election Day. New applicants are eligible for awards up to \$75,000, and re-competing applicants are eligible for awards up to \$20,000. Applications are due before 5:00 p.m. Eastern Time on Thursday, July 16, 2009, and must be mailed or hand delivered to the EAC. Applications submitted electronically or by fax will not be accepted. The grant application and instructions can be downloaded at www.eac.gov/grants. Questions regarding the program can be directed to Mark Abbott by sending an e-mail to HAVACollegeProgram@eac.gov. He can also be reached by calling (866) 747-1471 toll-free. **Eligibility Requirements** This competition is open to state-controlled institutions of higher education, private institutions of higher education, community colleges and nonprofit organizations. **Grant Restrictions** Funds cannot be used to support any partisan, voter registration or get-out-the-vote (GOTV) activities.

Election Management Institute in Best Practices in Election Management and Observation: The program is intended to provide hands-on, practical training to improve and promote best practices in election management and observation. The program includes workshops offered by renowned electoral academics and experts, and visits to relevant electoral institutions in the Washington, D.C., area, New York and Richmond. The program takes place at American University and in the Washington, D.C., area, and includes day trips to New York (City Campaign Finance Board) and Richmond (Virginia State Board of Elections). For the application form and for more information, please visit the [Web site](#). **Dates:** August 24 - September 4, 2009. **Cost:** \$1,980 for applications received by July 15, 2009. **Contact info:** Center for Democracy & Election Management; American University, 3201 New Mexico Avenue, NW Suite 395, Washington, DC 20016-8026, Telephone: (202) 885-1527.

V. Job Opportunities

All job listings must be received by 12 p.m. Eastern on Wednesday for publication in our Thursday newsletter. Job listings are free but may be edited for length. Whenever possible, include Internet information. Please email job postings to mmoretti@electionline.org