



Voter Registration: Overview of Federal Involvement and Policy Considerations

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Voter registration policies are largely determined by state and local governments, subject to certain federal requirements, many of which are found in the [National Voter Registration Act of 1993 \(NVRA\)](#) and the [Help America Vote Act of 2002 \(HAVA\)](#). For most Americans, registering to vote is a prerequisite for voting in federal elections (North Dakota, however, does not require voter registration). In addition to determining whether or not to require voter registration, states can vary on a number of elements related to the registration process, including [when](#) or [where](#) registration occurs; certain qualifications for registration; and [how voters may be removed](#) from the registration list. States or localities may also have different policies affecting voter registration for state or local elections.

Existing Federal Voter Registration Statutes

Congress has sometimes required certain uniform practices for federal elections, often with provisions affecting voter registration. The [Voting Rights Act of 1965 \(VRA\)](#), [as amended](#), for example, prohibits any voting qualification, prerequisite, standard, practice, or procedure that results in denial or abridgement of the right to vote based on race, color, or membership in a language minority. The [Voting Accessibility for the Elderly and Handicapped Act of 1984 \(VAEHA\)](#) requires states to establish “a reasonable number of accessible permanent registration facilities” and offer registration aids for elderly or handicapped individuals to use. The [Uniformed and Overseas Citizens Absentee Voting Act of 1986 \(UOCAVA\)](#), among [other provisions](#), requires states to accept and process valid voter registration applications received at least 30 days prior to a federal election from military or overseas voters. UOCAVA also created an official postcard form that states must accept for these individuals containing both a voter registration application and an absentee ballot application.

[NVRA](#) represented a significantly expanded federal role regarding voter registration. It contained a number of provisions affecting how states conduct voter registration for federal elections, including requirements that

- states provide voter registration opportunities alongside services provided at departments of motor vehicles (DMVs), often referred to as “motor-voter”;

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- states designate other offices as *voter registration agencies* to provide forms, offer assistance, and submit completed applications;
- voters who move within a jurisdiction but do not have updated registration records are provided an opportunity to update their address on Election Day and are provided options for voting;
- states accept a *federally created mail-based voter registration form* and ensure that any state-created mail-based voter registration forms for federal elections meet similar requirements;
- states only remove names from their lists of eligible voters for specified reasons (death; change of residence; or due to a felony conviction or mental incapacity if provided under state law) and follow certain procedures when conducting *voter registration list maintenance* and *removing voters*; and
- states designate a *chief election official* to coordinate state responsibilities related to NVRA.

In addition to *other election administration measures*, HAVA contained a number of voter registration provisions, including requirements that

- states create a single, centralized, computerized statewide voter registration list to serve as the official voter registration list for federal elections, containing certain specified identifying information for each voter;
- states may not accept or process voter registration applications for federal elections unless the applicant provides a driver's license number or the last four digits of a Social Security number or the state assigns the applicant a unique identifying number;
- certain new voters who submitted an application by mail must provide specified identifying information when they vote for the first time in a federal election in the state if such information was not provided with the application;
- state DMV officials enter agreements with the Social Security Administration and the chief state election official to *verify and match* certain applicant information;
- states coordinate their computerized voter registration lists with state agency records on felony status and state agency records on death; and
- states must generally follow NVRA's provisions for *removing ineligible voters* from the statewide registration list and remove registered individuals who have not responded to a mailed notice and who have not voted in two consecutive general federal elections, as provided under NVRA.

HAVA also *authorized grant funding* to help states carry out its provisions. Through subsequent legislation, Congress has sometimes *appropriated funding under HAVA grant programs* for states' election administration or security efforts, which may include activities related to voter registration administration.

Considerations for Policymakers

Policy debates related to voter registration reflect a variety of considerations. Expanded voter registration opportunities or simplified registration processes, for example, are often proposed by those who seek to increase voter participation and are related to issues of access to the ballot. Certain voter registration practices or requirements, however, might also be viewed as necessary measures to prevent ineligible individuals from voting or prevent instances of multiple voting and are reflected in some proposals related to voter registration requirements, verification processes, or list maintenance. Voter registration records

have been [targets of election interference efforts](#) and have sometimes been addressed in the context of [election cybersecurity](#). Some concerns also exist over the [appropriate use of voter registration records](#) and the personal information they contain.

Different perspectives exist on whether, [or to what degree](#), federal policies should address additional elements of state and local election administration. Some policymakers view congressional involvement in this area as an extension of the federal government's role in upholding the constitutional right to vote and preserving fair elections. Further federal involvement in voter registration, for example, might provide greater uniformity across state practices, expanded registration opportunities, or improved security for voter records. Other policymakers view existing practices as sufficient, given existing federal voter registration policies and the long-standing role of state and local governments in election administration. Some also note that there may be other considerations to weigh against perceived benefits of federal voter registration policy changes. Requiring uniform standards across states, for example, may be challenging and costly, due to the variety of election practices currently in place under state laws. Having an array of voter registration systems may also limit the scope of any potential problems to a few states or localities, rather than affecting all jurisdictions nationwide.

Congress routinely considers legislation that would affect federal voter registration, often as proposals to amend NVRA or HAVA. Some bills reflect long-standing areas of congressional interest, such as expanding registration opportunities or providing federal funding to help states make certain election administration improvements. Some bills reflect more recent concerns surrounding voter registration verification or election security. Legislation proposing new federal requirements for registration practices (such as those that would require or prohibit [same-day voter registration](#), or [automatic voter registration](#), for example) may reflect views based on initiatives already in place across certain states.

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