

BRENNAN
CENTER
FOR JUSTICE

**Statement of
Brennan Center for Justice at NYU School of Law
In Support of the Voter Registration Modernization Act**

September 18, 2014

The Brennan Center for Justice at NYU School of Law¹ commends Senator Gillibrand on her introduction of the Voter Registration Modernization Act. We urge all Senators to support this legislation, which would provide national standards for secure and accessible online voter registration. Modernizing the voter registration system in this way will help boost participation, enhance accuracy, and increase efficiency. Federal efforts to support the right to vote are critical with Americans facing voting barriers and the loss of key voting protections.

I. The Need for Reform

Voter registration is our single biggest election administration problem. Fifty million eligible Americans are not registered and 24 million registration records have serious errors.² Antiquated procedures that rely on ink-and-paper forms are largely to blame. Voters across the country must fill out duplicative forms, which officials then must hand-enter into databases. These obsolete procedures lead to inaccurate and incomplete rolls, which in turn lead to problems at the polls.

Instead, states should modernize voter registration by using electronic systems to simplify and enhance the process of managing the rolls. Updated technologies and tools will better ensure all eligible voters can cast ballots and will increase election security and efficiency. Online voter registration is a key component of this reform. Twenty-four states controlled by both political parties allow eligible citizens to register and view, correct, and update information online.³

The Voter Registration Modernization Act will expand the number of states that offer online registration and ensure it is implemented well. The bill requires online registration for federal elections, building on the success of the National Voter Registration Act by expanding opportunities to participate. It sets national standards, including disability access, registration information updates, and electronic signatures. The bill also provides for implementation payments and a study of best practices, giving states resources to design effective systems.

¹ This testimony is submitted on behalf of a Center affiliated with New York University School of Law, but does not purport to represent the school's institutional views on this or any topic.

² PEW CENTER ON THE STATES, INACCURATE, COSTLY AND INEFFICIENT 2 (2012), *available at* <http://www.pewtrusts.org/en/research-and-analysis/reports/2012/02/14/inaccurate-costly-and-inefficient-evidence-that-americas-voter-registration-system-needs-an-upgrade>.

³ BRENNAN CENTER FOR JUSTICE, VRM IN THE STATES: ONLINE REGISTRATION, <http://www.brennancenter.org/analysis/vrm-states-online-registration>.

II. Benefits of Online Voter Registration

Registration over the Internet helps increase participation. California received more than a million applications within the first month of implementing its system.⁴ And online registration is particularly helpful in reaching young voters.⁵

Online voter registration results in more accurate voter rolls because voters are responsible for entering their information directly into the system – there is no duplicative data entry. This greatly reduces illegible and incomplete registration forms. Registrations processed electronically are significantly more reliable; one jurisdiction found that electronic registration records were five times more accurate than paper records.⁶

Online registration saves money. Processing paper registration forms, especially during peak periods near Election Day, is cost-intensive. Online voter registration streamlines the process. States that have implemented online voter registration report cost savings ranging from 25 cents to 2 dollars per registration application.⁷ Startup costs can be recouped in a single election cycle.⁸

III. National Standards Are Vital

Restrictive voting laws and the loss of vital federal protections necessitate improved registration procedures. Fifteen states will have voting restrictions in place for the first time in a major election in 2014,⁹ and the Supreme Court severely limited the Voting Rights Act, a key federal safeguard. National standards for online registration will help offset these hurdles by making it easier for voters to get on the rolls and less likely that they will face problems at the polls.

National standards will also ease long lines at the polls, which in 2012 led would-be voters to walk away and others to wait until midnight to vote. The bipartisan Presidential Commission on Election Administration concluded “every state should allow eligible citizens to register to vote and to update their registrations via the internet” as a means of improving wait times.¹⁰

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The Senate should move quickly to pass this legislation, which provides a rare and critical opportunity to provide bipartisan national standards and improve the voting system.

⁴ Early Estimate from State’s Elections Chief: Voter Registration Likely to Reach Record High for Next Election (Oct. 23, 2012), <https://www.sos.ca.gov/admin/press-releases/2012/pdf/db12-103.pdf>.

⁵ WENDY WEISER ET AL., HOW TO FIX THE VOTING SYSTEM 8 (2013), http://www.brennancenter.org/sites/default/files/publications/How_To_Fix_Voting_System.pdf.

⁶ CHRISTOPHER PONOROFF, VOTER REGISTRATION IN A DIGITAL AGE 13 (2010), http://www.brennancenter.org/sites/default/files/legacy/Democracy/Paperless_Registration_FINAL.pdf.

⁷ BRENNAN CENTER FOR JUSTICE, VRM IN THE STATES: WASHINGTON, <http://www.brennancenter.org/analysis/vrm-states-washington>.

⁸ BRENNAN CENTER FOR JUSTICE, THE CASE FOR VOTER REGISTRATION MODERNIZATION 14, <http://www.brennancenter.org/sites/default/files/publications/Case%20Voter%20Registration%20Modernization.pdf>

⁹ WENDY WEISER AND ERIK OPSAL, THE STATE OF VOTING IN 2014 (June 17, 2014), <http://www.brennancenter.org/analysis/state-voting-2014>.

¹⁰ REPORT AND RECOMMENDATIONS OF THE PRESIDENTIAL COMMISSION ON ELECTION ADMINISTRATION 1, 3 (2014), available at <https://www.supportthevoter.gov/files/2014/01/Amer-Voting-Exper-final-draft-01-09-14-508.pdf>.