

RSC Outlook: “Modernizing” the Voter Registration Process

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Given the abuses of the Association of Community Organizations for Reform Now (ACORN) in recent months, Americans are becoming increasingly more aware of the dangers of vote fraud and its potential to affect the outcome of elections. As Democrats like Congresswoman Zoe Lofgren (D-CA) and Senator Charles Schumer (D-NY) – champions of the voter registration “modernization” issue – bring forth proposals to drastically change the voter registration process, conservatives should be wary of any proposal that could increase the incidence of vote fraud, create costly and unnecessary mandates on states, and undermine effective voter registration safeguards already being implemented by many states.

Recent History of Federal Voter Registration Laws:

- The National Voter Registration Act of 1993, also known as the “Motor Voter Act,” required states to implement plans to make voter registration easier. Eligible citizens would be able to register to vote at the DMV while applying for a license, at social service agencies, by mail, or by applying in person at a designated site. Motor Voter was the first major piece of legislation placing mandates on states requiring compliance with federal rules and regulations on voting registration procedures. It also opened the floodgates for illegal alien voting by allowing individuals to apply for a driver’s license and register to vote at the same time. *At least eight states allow illegal aliens to get drivers licenses.* See the following Heritage Report for more information on “[The Threat of Non-Citizen Voting.](#)”
- In 2002, Congress passed the Help America Vote Act (HAVA) which amended the Motor Voter Act. The law created the Election Assistance Commission (EAC) to assist with federal election processes and imposed more mandates on states regarding how to administer elections. For example, the law required states to provide a provisional ballot to voters who are not on registration lists and to maintain a computerized state voter registration list.

Conservative Concerns with Universal Voter Registration: One of the biggest threats to voter registration accuracy is commonly referred to as universal, or nationalized, voter registration – what many conservatives appropriately call “government-run voter registration.” It will significantly increase the potential for vote fraud, and it will place an undue financial burden on states, which will be forced to adhere to unfunded mandates, and/or taxpayers, who will have to pick up the bill for another massive government spending program.

- **Voter registration fraud is already a huge problem. Universal voter registration will make it worse.** By federally mandating that states automatically register individuals who are on various lists or databases (driver’s license lists, welfare rolls, etc.), ineligible individuals

will inevitably become registered to vote, adding to an ongoing problem we experienced in 2008. For example, few states collect citizenship data when they issue driver's licenses and there is no comprehensive database of either citizens or non-citizens. Additionally, individuals may appear on databases with outdated addresses that would affect where they are eligible to vote.

As [John Fund reported](#) in early November 2008, fraudulent registrations were rampant leading up to the 2008 elections. In Milwaukee in 2004, the Milwaukee police determined that "1,100 registration cards filled in by voters were declared invalid or untraceable by election officials." An ACORN employee provided proof that their New Mexico affiliate had the goal of ensuring that 40 percent of all registrations were valid. Fund goes further in referring to a Fort Lauderdale *Sun Sentinel* article that reported "some 5,000 felons who do not have the right to vote have apparently voted in recent elections in Florida." These are only a few key examples of the voter registration fraud problem – much of which has been caused by ACORN.

- **Any Democrat proposal will likely *exclude* reference to a photo ID requirement at the polls.** Any "modernization" or reform of our voter registration laws should include a photo ID requirement as a key to fighting fraud. Many recent surveys have shown that Americans overwhelmingly support photo ID requirements at the polls.
 - A June 2009 [poll by FOX News](#) showed that "When it comes to showing photo identification at a polling place before voting, 83 percent of Americans say they think it is a good idea to require it, because it helps avoid fraud."
 - The [Cooperative Congressional Election Survey](#) following the 2008 federal election found that 70% of respondents favored requiring that all voters show government-issued photo identification.
 - A January 2008 [Fox 5/Washington Times/Rasmussen Reports survey](#) of 1,000 adults across all demographics found that 67% support requiring photo ID before voting.
 - A January 2008 [telephone survey by Rasmussen Reports](#) showed that 80% of voters believe people should be required to show photo ID to vote.
 - An October 2008 telephone survey by [Rasmussen Reports](#) found that 76% of those surveyed supported showing a photo ID before voting.
- * In 2005, the bipartisan Carter-Baker Commission (led by former President Jimmy Carter and former Secretary of State James Baker) also overwhelmingly recommending the implementation of photo ID requirements at the polls.
- **Supporters of a universal voter registration process frequently argue that a photo ID requirement will decrease voter turnout. In fact, *requiring a photo ID at the polls has increased voter turnout in some states.***
 - A 2007 [study by the Heritage Foundation](#) debunked the Eagleton Institute's findings, which had asserted that photo ID requirements in the 2004 election negatively affected voter turnout. The Heritage study found that "In general, respondents in photo

identification and non-photo identification states are *just as likely* to report voting compared to respondents from states that only required voters to state their name.”

- A 2007 [study on Indiana’s photo ID law](#) by Jeffrey Milyo at the University of Missouri showed that voter turnout in Indiana actually increased by 2 percentage points from the 2002 to the 2006 general election. 2006 was the first general election in which the photo ID was a requirement in order to vote in Indiana.

➤ **Universal Voter Registration will be a massive, costly new government-run, top-down, bureaucratic program.**

- States, many of which are experiencing severe budget shortfalls, cannot afford to pick up more unfunded mandates.
- Taxpayers cannot afford to pay for another massive spending program.

Other Potential Dangers to Democrats’ “Modernization” Plans: Universal registration is not the only potential voter registration proposal that should put conservatives on guard. Congresswoman Zoe Lofgren has introduced H.R. 1719, the Voter Registration Modernization Act of 2009, mandating that by 2016, each state must provide online voter registration. It should be noted that, to date, only a handful of states have online registration. Congress may wish to assist states that choose to adopt online registration, but it should not force them to make that change. During a House Administration Subcommittee on Elections hearing on October 21, 2009, the following concerns (and more) were raised that the bill would impede states’ abilities to protect against vote fraud:

- Multiple witnesses and a number of written submissions emphasized that H.R. 1719 is deeply flawed in that it allows online registration without any connection to an existing database, which would verify that the voter is a real person and is not registered more than once. Every state that has implemented online voter registration requires that individuals using the system have a driver’s license, and the system matches the individual’s online registration with his or her driver’s license record.
- As Indiana Secretary of State Todd Rokita stated in his testimony, after conducting a mailing in 2006 where over one million cards to registered voters were returned as “undeliverable,” Indiana was able to designate almost half of them (after a follow-up mailing) as inactive. *This type of voter registration cleanup would not be possible under H.R. 1719.* Katie Blinn, the Assistant Director of Elections for the State of Washington, representing Secretary of State Sam Reed, expressed similar concerns about the inability to remove invalid voters from registration lists in her testimony.
- Section 5 of H.R. 1719, regarding the information necessary to show voter eligibility, would limit a state’s ability to implement verification standards in order to register to vote. As Secretary Rokita explicitly states in his testimony, “If this provision is not eliminated, fraudulent applications such as those submitted in the spring of 2008, would be added to the voter rolls – permitting a fictitious ‘Jimmy John’ or ‘Mickey Mouse’ to vote.”

* In response to Congresswoman Lofgren’s bill, Representatives Gregg Harper (R-MS) and Kevin McCarthy (R-CA) recently circulated draft legislation that would help states that want to implement

online voting registration, and would address many of the concerns presented by the witnesses at the October 21st hearing. See the link for the draft legislation in [this press release](#).

Moving Forward: Part of the solution will likely be a requirement that individuals show valid photo identification in order to vote – as has been done in a handful of states already. While opponents contend that this would discourage participation in elections, data indicates the opposite. Furthermore, for example, photo ID is already required to fly on an airplane; it is required for the purchase of alcohol and cigarettes; and it is required to get into a rated-R movie.

As the debate over voter registration “modernization” moves forward, conservatives should support legislative ideas that provide states the ability to maintain flexibility to implement appropriate election policies for their state and support policies that discourage voter fraud and restore election integrity. It is the only way to protect the democratic privilege we have as Americans to vote for our representatives.

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202) 226-0718