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ACS Issue Brief Explores Impact of Voter Registration Law

Author Says Federal and State Election Officials Must Bolster Efforts to Support Law Aimed at Increasing Voter Participation

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WASHINGTON, D.C. – Fifteen years after enactment of the National Voter Registration Act (NVRA) significant hurdles to voting remain, writes Estelle Rogers in an Issue Brief released today by the American Constitution Society for Law and Policy (ACS). She calls on the Obama administration and state election officials to renew their efforts to enforce several sections of the law.

Rogers, a consulting attorney at Project Vote, says that while the NVRA has produced a number of “successes” on removing obstacles to voting, thereby increasing voter participation, much work remains to be done.

“Without question,” Rogers writes, “the least successful provision of the NVRA is the requirement that social service agencies and offices serving the disabled provide voter registration services similarly to motor vehicle offices. While this requirement was a promising way of reaching out to citizens who didn’t interact with DMVs, such as those too impoverished to drive or own cars, the reality has not measured up to the promise. This disappointing track record is due to widespread non-compliance with the mandates of Section 7 [of NVRA] and a failure of enforcement by the Department of Justice, particularly in recent years, not with any lack of clarity in the statute itself.”

Another major provision of the NVRA that is hobbled involves the administration of voter lists, writes Rogers. Section 8 of the NVRA provides that “Each state shall insure that any eligible applicant is registered to vote ... and conduct a general program that makes a reasonable effort to remove the names of ineligible voters.”

“The registration administration provisions of Section 8 are, for the most part, drafted clearly but nevertheless have been widely ignored,” Rogers states. “Significantly

increased awareness and enforcement of these provisions is necessary to fulfill the potential of Section 8.”

She urges the Obama administration, especially the Department of Justice, to “provide much needed guidance and enforcement of sections 7 and 8,” and for state election officials to aggressively approach “their responsibilities under the NVRA.” For example, Rogers says that states’ top election officials should ensure that election administrators “do not impose unreasonable restrictions on registration drives, and that motor vehicle, disability, and social service agencies consistently fulfill their duties under NVRA.”

Rogers explains that the NVRA was “heralded as a landmark law that would usher in a new era of universal, or nearly universal, enfranchisement and political participation. Yet, fifteen years later, registration problems were widely believed to be the most important issue of the 2008 election, as hanging chads were in 2000 and long lines in 2004. Clearly, the promise of the NVRA is a long way from fulfillment.”

Download Rogers’ Issue Brief, “The National Voter Registration Act: Fifteen Years On,” [here](#). Please contact the ACS Communications Department to arrange interviews with the author.

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