

15.5 Modernizing the Democratic Process

More Americans engage in democratic election processes than in any other civic act. By bringing the elections process into the digital age, government can increase efficiency, promote greater civic participation and extend the ability to vote to more Americans.

The current paper-based system for voter registration can include multiple steps: collecting information on paper forms, manually entering handwritten data onto voter lists and offering third-party groups the opportunity to distribute, collect and submit handwritten registration cards. These practices result in a system that is often inaccurate and cumbersome, with large numbers of registration forms inundating election offices prior to each election. One recent study estimates that voter registration problems resulted in more than two million voters being unable to vote in the 2008 general election. The problems are even worse for members of the military serving overseas; service members are more than twice as likely to face registration problems as the general public.⁷³ According to an Overseas Vote Foundation survey, nearly a quarter (23.7%) of experienced overseas voters had questions or problems when registering to vote in 2008.⁷⁴ Maintaining this poorly functioning system is costly in terms of dollars as well as votes. A study of voter registration costs in Oregon found that in 2008 voter registration alone cost taxpayers more than four dollars per vote, with an ultimate bill of almost nine million dollars.⁷⁵

Recommendation 15.13: Federal, state and local stakeholders should work together to modernize the elections process by addressing issues such as electronic voter registration, voting records portability, common standards to facilitate data exchanges across state borders and automatic updates of voter files with the most current address information.

Government can improve the voting system by modernizing voter registration to increase efficiency and decrease confusion. This change would also increase accessibility for those who have difficulty with current voter registration processes, such as people living in rural areas and on Tribal lands and disabled populations who have difficulty traveling or face other accessibility challenges.⁷⁶ These recommendations will not provide instant solutions, but they are important steps toward creating a more rational system.

The first step must be to modernize the voter registration process. Arizona, Kansas and Washington already permit citizens to complete and submit voter registration applications online.⁷⁷ In Utah, the Governor's Commission on Strengthening Democracy published a final report in December 2009 recommending that all citizens of Utah be allowed to register to vote online.⁷⁸

Common standards will assist in making voting records portable so that these records update whenever citizens change party affiliation, marital status or move. Several states have already begun to adopt common standards to facilitate data exchange across state borders.⁷⁹ Delaware has implemented a new eSignature system that requires every visitor to the Division of Motor Vehicles to register to vote, update their registration or decline to do so. Delaware's system immediately downloads updated data directly into voters' files, eliminating the need for data entry and reducing the possibility for human error. The eSignature program saved Delaware \$200,000 annually, and it can save other states money as well.

Local governments have also reaped benefits from modernizing voter registration. In Maricopa County, Arizona, paper registration forms cost at least 83 cents each to process, while online registration costs an average of only three cents.⁸⁰ In Travis County, Texas, the County Tax Office implemented an Internet-based application that allows citizens to register to vote online, reducing citizen calls by 30% and walk-ins by 40%. Voter fraud was also minimized by using wireless devices to instantly confirm voter eligibility.⁸¹

The federal government has taken steps in this direction as well. The Military and Overseas Voter Empowerment Act, recently passed by Congress, requires that states (beginning with the 2010 general election) establish procedures to allow voters covered by the Uniformed and Overseas Citizens Absentee Voting Act to electronically request voter registration applications and absentee ballot applications for federal elections.⁸²

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73 Pew Ctr .on the States, Bringing Elections into the 21st Century: Voter Registration Modernization 1–2 (2009) (Pew, Voter Registration Modernization), available at

http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/Election_reform/Voter_Registration_Modernization_Brief_web.pdf.

74 Overseas Vote Found., 2008 OV F Post Election UO CAVA Survey Report and Analysis 5 (2009), available at

https://www.overseasvotefoundation.org/files/OVF_2009_PostElectionSurvey_Report.pdf.

75 Pew, Voter Registration Modernization at 1–2.

76 Open Source Digital Voting Foundation Comments in re NBP PN #20, filed Dec. 10, 2009, at 6–7; Broadband for the Deaf and Hard of Hearing Corp. Comments in re NBP PN #20, filed Dec. 9, 2009, at 1–2.

77 National Association of Counties Comments in re NBPPN #20, filed Dec. 10, 2009, at 4; Open Source Digital Voting Foundation Comments in re NBP PN #20, filed Dec. 10, 2009, at 5.

78 Governor’s Comm’n on Strengthening Democracy, Final Report 22 (2009), available at <http://www.strengthendemocracy.org/uploads/2009/12/governorscommission-final-report.pdf>.

79 Pew, Voter Registration Modernization at 3–4.

80 Pew, Voter Registration Modernization at 3.

81 IBM, Travis County Tax Office Develops a New Way to Vote and Access Other Key Government Services (2007), available at <http://www-01.ibm.com/software/success/cssdb.nsf/CS/JSTS-78RR3D>.

82 Military and Overseas Voter Empowerment Act, Subtitle H of the National Defense Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, §§ 575–589, 123 Stat. 2190, 2318–35 (2009).