



Project Vote

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March 9, 2007

Gary Bartlett, Executive Director
North Carolina State Board of Elections
PO Box 27255
Raleigh, NC 27611-7255

Dear Mr. Bartlett:

In North Carolina, I understand that a positive match between a number on the voter registration application and either the drivers' license or social security database must occur before a person's name is placed onto the official list of registered voters. I am writing today to support efforts to abandon this practice in North Carolina, without sacrificing the security or accuracy of the statewide voter list. Indeed, given the likelihood of errors inherent in the current practice, a slight change of course would only enhance the accuracy of the list, without any loss of security.

As you know from discussions we had in June, 2006, we agree that the Help America Vote Act (HAVA) directs states to search for matching information of new registrants. If/when the matches are successful, HAVA specifically allows states to waive the ID requirements otherwise governing first time voters who register to vote by mail. But the failure to find a match does not mean that an eligible voter's application need be rejected. Matching is a tool to validate a number that uniquely identifies each registrant – but HAVA does not require a positive match as a precondition for an acceptable registration. In fact, HAVA states that an applicant will be registered, and given a unique identifier by the state, if the applicant does not have either a driver's license or a social security number and can't enter the matching process at all. It makes no sense to set a higher technological bar for those who attempt to provide accurate identifying information than for those who do not possess the necessary identifying numbers at all.

Clerical errors, maiden names, and applicants providing driver license numbers from a previous state because they don't yet have a new driver license, are several reasons why matches might not occur. Pete Monaghan of the Social Security Administration indicated at the NASS/NASED mid-winter meetings this year that almost half of the matches attempted for applicants supplying Social Security numbers had not succeeded. Though North Carolina seems to be having more success with applicants supplying driver's license numbers, there are still thousands of mismatches. And as a result, eligible voters are prematurely clipped out of the registration process.

According to the Brennan Center, North Carolina is one of only a handful of states to set the match process as its own bar to registration. Moreover, since that study was conducted, the trend has continued away from North Carolina's policy, as states including California, Pennsylvania, and Maryland have changed their practices. These other states simply use the match as federal law intended – as a substitute for other identification. I am communicating with Joyce McCloy of the NC Coalition for Verified Voting about these practices, and I am familiar with draft

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legislative language -- drafted by Justin Levitt of the Brennan Center -- that would appear to remedy the North Carolina situation while retaining North Carolina's ability to check the identity of eligible voters who happen to fail the matching system.

I hope that you are able to support efforts to make these necessary changes to ensure that eligible voters are not kept off the North Carolina voter rolls. We continue to believe that you have the power to make these changes through administrative change, without the need for other measures, but we would be eager to work with you to effect these changes in whatever manner is most effective. There is still time to change course, before new voters are unintentionally locked out of the next election.

As always, I know that you will give this issue careful and thorough consideration, and I continue to applaud and admire your leadership.

Sincerely,

Jo-Anne Chasnow
Policy Director
Election Administration Program

CC: Don Wright, Counsel, North Carolina State Board of Elections