Federal Resources

National Voter Registration Act of 1993 (NVRA)

&

Help America Vote Act of 2002 (HAVA) Resource & Complaint Guide

Provided by

What is the National Voter Registration Act (NVRA)?

Link to NVRA Statute

U.S. Department of Justice—NVRA FAQ

Congress enacted the National Voter Registration Act of 1993 (also known as the "NVRA" and the "Motor Voter Act"), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

The requirements of the NVRA apply to 44 States and the District of Columbia. Six States (Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin, and Wyoming are exempt from the NVRA because, on and after August 1, 1994, they either had no voter-registration requirements or had election-day voter registration at polling places with respect to elections for federal office. Likewise, the territories are not covered by the NVRA (Puerto Rico, Guam, Virgin Islands, American Samoa). While the NVRA applies to elections for federal office, States have extended its procedures to all elections.

The U.S. Department of Justice has enforcement responsibility under the NVRA. The Department undertakes activities designed to ensure compliance with the NVRA, including monitoring state compliance, conducting investigations and, filing litigation in federal court to enforce the NVRA's requirements. Private parties may also bring litigation in federal court to enforce the NVRA. The U.S. Election Assistance Commission is responsible for administration of the national voter registration form, as well as State reporting under the NVRA.

Within the Department of Justice, the responsibility for NVRA enforcement is committed to the Voting Section of the Civil Rights Division. You may reach the Voting Section at its toll-free telephone number, 800-253-3931.

What is the Help America Vote Act (HAVA)?

Link to HAVA Statute
Link to Election Assistance Commission

According to the EAC.gov website:

The Help America Vote Act (HAVA) of 2002 was passed by the United States Congress to make sweeping reforms to the nation's voting process. HAVA addresses improvements to voting systems and voter access that were identified following the 2000 election. HAVA mandates that EAC test and certify voting equipment, maintain the National Voter Registration form and administer a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections.

HAVA creates new mandatory minimum standards for states to follow in several key areas of election administration. The law provides funding to help states meet these new standards, replace voting systems and improve election administration. HAVA also established the Election Assistance Commission (EAC) to assist the states regarding HAVA compliance and to distribute HAVA funds to the states. EAC is also charged with creating voting system guidelines and operating the federal government's first voting system certification program. EAC is also responsible for maintaining the National Voter Registration form, conducting research, and administering a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections. HAVA requires that the states implement the following new programs and procedures:

- Provisional Voting

- Voting Information

- Updated and Upgraded Voting Equipment

- Statewide Voter Registration Databases

- Voter Identification Procedures

- Administrative Complaint Procedures

How do I report a Voting Rights Violation?

Link to Voting Rights Violation Procedure

Link to Civil Rights Violation Webform

To report civil rights violations, go to civilrights.justice.gov/report .

- All complaints related to violence, threats of violence, or intimidation at a polling place should be reported first to local police authorities by calling 911.
- After alerting local law enforcement to such emergencies by calling 911, the public should contact the Department of Justice
- Election-crime complaints should be directed to your local U.S. Attorney's Offices or the local FBI office

How do I file a HAVA election complaint?

Link to EAC Resources

HAVA requires that states establish a procedure for voters to lodge complaints concerning the voting process. Specifically, states receiving HAVA funds must establish administrative procedures so that "…any person who believes that there is a violation of any provision of title III (including a violation which has occurred, is occurring, or is about to occur) may file a complaint." See Section 402 of HAVA for a complete list of requirements for these procedures.

When states apply for HAVA funding, they submit their complaint procedures to EAC. You may view a state's procedures by accessing its HAVA State Plan or by contacting the state elections board. Voters who wish to file a complaint should contact their state directly.

Who can I contact regarding a violation of federal election laws?

U.S Department of Justice, Civil Rights Division	
Physical Address:	U.S. Department of Justice Civil Rights Division Voting Section 950 Pennsylvania Avenue NW 4CON 8th Floor Washington, DC 20530
Mailing Address:	Voting Section Civil Rights Division U.S. Department of Justice 4 Constitution Square, Room 8.923 150 M Street, NE Washington, DC 20530
Phone Number:	202-307-2767
Fax Number:	202-307-3961
E-mail:	Voting.Section@usdoj.gov
Website:	https://civilrights.justice.gov/voting-resources

United States Election Assistance Commission	
Address:	U.S. Election Assistance Commission 633 3rd Street NW, Suite 200 Washington, DC 20001
Phone Number:	866-747-1471
E-mail:	clearinghouse@eac.gov
Webform Contact:	https://www.eac.gov/contactuseac
State Election Offices:	https://www.eac.gov/voters/register-and-vote-in-your-state