



**WRITTEN STATEMENT OF  
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**For a Hearing on**

**Protecting the Right to Vote: Best and Worst Practices**

**Submitted to the U.S. House Committee on Oversight & Reform  
Subcommittee on Civil Rights & Civil Liberties**

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## Introduction

Chairman Raskin, Ranking Member Roy, and Members of the Subcommittee, thank you for the opportunity to testify before you today.

My name is Dale Ho, and I am the Director of the American Civil Liberties Union (ACLU) Voting Rights Project. For nearly 100 years, the ACLU has been our nation's guardian of liberty, working in courts, legislatures, and communities to defend and preserve the Constitution and laws of the United States. With approximately 1.7 million members, activists, and supporters, the ACLU is a nationwide organization that advances its mission of defending the principles of liberty and equality embodied in our Constitution and civil rights laws. The ACLU's Voting Rights Project, established in 1965, has filed more than 300 lawsuits to enforce the provisions of our country's voting laws and constitution, including the Voting Rights Act of 1965 and the National Voter Registration Act of 1993. And in 2018, through our People Power platform, the ACLU launched a fifty-state campaign to protect and expand access to the ballot nationwide.

In my capacity as Director of the ACLU's Voting Rights Project, I supervise the ACLU's voting rights litigation and advocacy work nationwide. My work focuses on ensuring access to the franchise on equal terms for all Americans. My current cases include *Department of Commerce v. New York*, which concerns the administration's attempt to add a citizenship question to the 2020 census, and which I argued last week before the Supreme Court; and *Fish v. Schwab*, a case concerning onerous and unnecessary documentation requirements for voter registration in the State of Kansas, which is currently on appeal before the U.S. Court of Appeals for the Tenth Circuit. In addition to my work at the ACLU, I also serve as an adjunct professor at NYU School of Law. I am widely published in law reviews including the *Yale Law Journal Forum* and the *Harvard Civil Rights-Civil Liberties Law Review*.

I want to thank you for holding this hearing today on best and worst practices for protecting the right to vote. The Supreme Court famously proclaimed more than a century ago that the right to vote is the one right that is "preservative" of all others.<sup>1</sup> All of our rights as Americans are protected by our right to vote.

My written statement today will address: (1) a brief overview of voter registration in the United States; (2) worst practices, including unnecessary barriers to voter registration that undermine election integrity; and (3) Election Day Registration, one of the best practices to encourage voter participation.<sup>2</sup>

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<sup>1</sup> *Yick Wo v. Hopkins*, 118 U.S. 356, 370 (1886).

<sup>2</sup> In my testimony today, I do not address issues of voter purges, voter list maintenance, or electronic voter roll security. I addressed those issues in testimony before the House Committee on Administration in 2017, which can be found here: <https://docs.house.gov/meetings/HA/HA00/20171025/106531/HHRG-115-HA00-Wstate-HoD-20171025.pdf>.

## I. A Brief Overview of Voter Registration in the United States

The voter registration rate in the United States is substantially lower than in other democracies. According to Census Bureau survey data, as of the 2016 election, approximately 70% of voting-age citizens in the United States were registered to vote, as compared to 91% in Canada and the UK, and 96% in Sweden.<sup>3</sup>

What accounts for our much lower voter registration rate? There are two basic possibilities: either (1) our people or (2) our registration laws and practices are different from those of other democracies, in such a way that produces less voter participation. While Americans are undoubtedly unique in many ways, there is no reason to think that we are less engaged or more apathetic than Canadians or Swedes. In my experience, Americans care deeply about civic life and our country's well-being. But there are many features of our voter registration system that make registering to vote in America more complicated, onerous, and confusing than in other countries. Three in particular jump out:

First, registration in most states puts the onus on voters. By contrast, in most western democracies, the onus is on the government to ensure that citizens are registered—for example, countries like Sweden and Germany register voters automatically when they become eligible.

Second, instead of a single national voter registration system, we have 51 different systems—each with different rules as to the process for registering, and each requiring re-registration when a person moves to a new state. Our decentralized elections system has some advantages—it allows for experimentation on a smaller scale, and in some ways makes the system as a whole less vulnerable to electronic manipulation. But a patchwork of registration rules and processes can be confusing to voters.

Third, most states require voters to register well in advance of Election Day—in some cases, as much as 30 days before an election—long before public interest and media attention in an election are at their peak. While such advance registration deadlines may have made sense in an earlier era when registration forms were submitted on paper and voter lists were compiled by hand, they make little sense in today's electronic, on-demand world, in which Americans have come to expect transactions with service providers to be conducted in real-time.

None of this is meant to suggest that changing voter registration laws will cure all that ails American democracy. But it should be obvious that registration laws and practices *matter*. And given our dismal registration rates, we should be doing everything we can to avoid “worst” registration practices, while using “best” registration practices as a model for the rest of the country.

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<sup>3</sup> Drew DeSilver, Pew Research Center, *U.S. trails most developed countries in voter turnout*, May 212, 2018, available at <https://www.pewresearch.org/fact-tank/2018/05/21/u-s-voter-turnout-trails-most-developed-countries/>.

## II. Worst Practices: Erecting Barriers to Voter Registration

In spite of our already too-low voter registration rates, a number of states in recent years have adopted barriers to voter registration. I describe a few examples below in three categories: (1) restrictions on voter registration drives; (2) rollbacks of registration reforms; and (3) new barriers to registration.

### A. Restrictions on Voter Registration Drives

In recent years, several states have passed or have considered draconian restrictions on voter registration drives. In my testimony, I will describe an example from Florida, as well as two bills moving in state legislatures this year in Tennessee and Arizona.

*Florida.* In 2011, Florida passed a law that created new restrictions on voter registration drives.<sup>4</sup> Most notoriously, it imposed a 48-hour deadline on submitting collected voter registration forms, with penalties of \$50 per form per day late. The effects were immediate: The League of Women Voters halted all voter registration activity in the state, while Rock the Vote opted to exclude Florida from its national program of encouraging high school students to register. The NAACP, which I represented at the time, mustered to recruit only about half as many volunteers willing to conduct voter registration drives in 2012 as it had found in 2008. In one notable incident, members of the Okaloosa County Branch of the NAACP received a stern warning from the Secretary of State's office for turning in two forms on Tuesday, January 17, 2012 approximately 90 minutes after their 48-hour deadline had expired—despite the fact the elections office had been closed and could not receive the forms on Monday that week because it was Martin Luther King Day.<sup>5</sup>

The League of Women Voters and other organizations eventually challenged the Florida law in federal court, represented by the ACLU, Brennan Center, and Lawyers Committee for Civil Rights. Most provisions of the law were ultimately struck down as unconstitutional in May of 2012, with a federal court declaring that the law imposed a “harsh and impractical” deadline” that “severely restrict[ed]” the ability of non-profit organizations to conduct voter registration drives.<sup>6</sup> The court acknowledged that a state has a legitimate interest in ensuring that voter registration forms are submitted in a timely manner, but found that “no legitimate interest [was] served” by the 48-hour deadline, which made voter registration drives “a risky business,” “unduly burdening the rights of voters and voter-registration organizations.”<sup>7</sup>

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<sup>4</sup> See Michael Cooper and Jo Craven McGinty, “Florida’s New Election Law Blunts Voter Drives,” *New York Times*, March 27, 2012, available at <https://www.nytimes.com/2012/03/28/us/restrictions-on-voter-registration-in-florida-have-groups-opting-out.html>.

<sup>5</sup> See *id.*

<sup>6</sup> *League of Women Voters of Fla. v. Browning*, 863 F. Supp. 2d 1155, 1157-58 (N.D. Fla. 2012).

<sup>7</sup> *Id.* at 1160-61.

The ruling was a victory for democracy, but the damage had already been done: while the law had been in full effect during the first few months of 2012, there were 81,471 fewer new registrations in Florida than there had been at the same point during the 2008 election cycle.<sup>8</sup>

*Similar Legislation Pending this Year.* Several states appear intent on repeating Florida’s mistakes.

In Tennessee, both chambers of the state legislature have passed versions of a bill that provides for fines of up to \$10,000 for submitting incomplete registration forms.<sup>9</sup> The ostensible purpose is to reduce the burden on elections officials from having to deal with incomplete forms. But at the same time, the bill requires certain registration organizations to submit any collected registration forms within 10 days, or face *criminal* penalties. Organizations are thus left in a catch-22: face possible criminal penalties if you fail to turn in an incomplete form; but face thousands of dollars in fines if you turn in too many forms that are “incomplete” in some respect.

In Arizona, the House has passed a bill that would make it a crime to pay someone, or to be paid, for working on a voter registration drive.<sup>10</sup> Such paid voter registration activity would become a Class 1 misdemeanor, punishable by up to 6 months in jail and fines of \$2,500. To be clear: this is not a ban on paying someone based on the number of registration forms that they collect—something that we agree is not a best practice, and which is already illegal in Arizona. Rather, this would be an outright prohibition on *any* paid voter registration activity.

*Racially discriminatory effects.* These restrictions on voter registration drives are wholly unnecessary, bad for democracy, and reinforce patterns of racial inequality. Recent Census data show that, as of the 2018 midterm, Black and Hispanic<sup>11</sup> voters were approximately 60% more likely than white voters to have registered through a voter registration drive.<sup>12</sup> New restrictions on registration drives will thus be likely to have a racially discriminatory effect in terms of reducing access disproportionately for Black and Hispanic voters. That effect is probably not lost on the proponents of such laws: in Tennessee, for example, the legislation described above

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<sup>8</sup> See Cooper, *supra* note 4.

<sup>9</sup> See Tennessee HB 1079 and SB 971.

<sup>10</sup> See Arizona HB 2616, available at <https://www.azleg.gov/legtext/54leg/1R/bills/HB2616P.pdf>. See also EJ Montini, “Bill makes getting paid to register voters a crime equal to domestic violence,” *Arizona Republic*, Feb. 19, 2019, available at <https://www.azcentral.com/story/opinion/op-ed/ej-montini/2019/02/19/voter-suppression-registration-arizona-legislature/2912790002/>.

<sup>11</sup> I use the term “Hispanic” to reflect the race/ethnicity categories used by the Census Bureau, which produced the data cited here.

<sup>12</sup> See U.S. Census Bureau, 2018 Voting and Registration Supplement to the Current Population Survey, April 23, 2019, Table 12, available at <https://www2.census.gov/programs-surveys/cps/tables/p20/583/>. The latest Census survey results indicate that 3.3% of white respondents who indicated that they were registered, stated that they registered to vote at a voter registration drive, as compared to 5.3% of Black registrants and 5.5% of Hispanic registrants.

emerged only after nearly 90,000 Black voters were registered in 2018 by the Tennessee Black Voter Project and the Black Voters Matter Fund.<sup>13</sup>

## **B. Rollbacks of Voter Registration Reforms**

Some states have repealed registration reforms that had been designed to make registration easier and encourage participation. For example, in 2013, North Carolina passed a law that, among other things, eliminated pre-registration from 16- and 17-year-olds (which 150,000 people had used to register to vote), and ended same-day registration during early voting (which more than 90,000 voters had used in the 2012 presidential election).

Litigation by the ACLU, Southern Coalition for Social Justice, the Advancement Project, and other groups was successful in blocking the law in time for the 2016 election. A unanimous panel of the U.S. Court of Appeals for the Fourth Circuit found that the law “target[ed] African Americans with almost surgical precision,” as it abruptly eliminated or curtailed voting practices disproportionately used by African Americans.<sup>14</sup> The Supreme Court declined to review the case, which stands as one of the most significant victories for voting rights in the past decade.

## **C. Documentation Requirements**

Other states have put obstacles directly in front of voter registration applicants by making the registration process itself more difficult. For example, in 2011, Kansas enacted a requirement that voter registration applicants submit a copy of a legal document establishing U.S. citizenship, such as a birth certificate or a passport. While all states require voters to be citizens and require proof of citizenship to register to vote (for example, an attestation under penalty of perjury<sup>15</sup>), only Kansas required a copy of a physical citizenship document in order to register to vote.<sup>16</sup>

Kansas’s law went into effect in 2013, and the effects were devastating for voter registration in the state. By March 2016, after the law had been in effect for a little more than

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<sup>13</sup> Cliff Albright, “Tennessee’s Vengeful Lawmakers,” *New York Times*, April 24, 2019, available at <https://www.nytimes.com/2019/04/24/opinion/tennessees-voter-registration-drives.html>

<sup>14</sup> *North Carolina State Conference of NAACP v. McCrory*, 831 F.3d 204, 214 (4th Cir. 2016).

<sup>15</sup> As the Tenth Circuit has noted, see, *Fish v. Kobach*, 840 F.3d 710 (10th Cir. 2016), Congress chose to rely on an attestation to establish eligibility for a wide range of federal programs. See, e.g., 7 U.S.C. § 2020(e)(2)(B)(v) (requiring state applications for Supplemental Nutrition Assistance Program aid be signed under penalty of perjury as to the truth of the information contained in the application and the citizenship or immigration status of household members); 26 U.S.C. § 6065 (requiring that any tax “return, declaration, statement, or other document” be “verified by a written declaration that it is made under the penalties of perjury”); 42 U.S.C. § 1395w–114(a)(3)(E)(iii)(I) (requiring “an attestation under penalty of perjury” as to assets for receipt of prescription drug plan subsidies); 42 U.S.C. § 1436a(d)(1)(a) (requiring an attestation of citizenship or “satisfactory immigration status” for the receipt of housing assistance).

<sup>16</sup> Three states have similar laws: Alabama, Arizona, and Georgia. Alabama and Georgia have never enforced their respective documentary proof-of-citizenship laws and have indicated no definitive plans to do so; Arizona’s law is less stringent, and can be satisfied with a driver’s license *number*, in lieu of a copy of a *document*. See A.R.S. § 16-166(F)(1).

three years, a total of 30,732 voter registration applicants had been denied registration, representing “approximately 12% of the total voter registration applications submitted since the law was implemented.”<sup>17</sup> It was as if one out of every eight voter registration applications were thrown in the trash. An analysis by political scientist Michael McDonald from the University of Florida determined that affected voters were disproportionately under the age of 30 (43.2% of rejected registration applicants) and unaffiliated with a political party (53.4% of rejected applicants).<sup>18</sup> And voter registration drives ground to a halt, as the League of Women Voters reported that, after the law went into effect, the number of completed registrations it collected from drives fell by 90%.<sup>19</sup>

The law affected a wide swath of voters, in varying ways. For some voters, the law was simply too onerous, as several of our clients either could not afford or could not locate their birth certificates in time to register before the 2014 midterm. For others, it was confusing, as several of our other clients were not told that their registrations had been rejected until they went to vote on Election Day, and by then it was too late. And for other voters, the inconvenience was enough: they simply did not have access to their birth certificates when they visited the DMV or encountered a voter registration drive, and did not get another chance to register before the next election.

The ACLU challenged the law, and, in a 2016 preliminary injunction ruling, the U.S. Court of Appeals for the Tenth Circuit, in a preliminary injunction opinion by Judge Jerome Holmes, an appointee of George W. Bush, found that the law had caused a “mass denial of a fundamental constitutional right,” and partially blocked the law for the 2016 election.<sup>20</sup> The case was then sent back to the district court so that then-Kansas Secretary of State Kris Kobach could mount a defense of the law, which he asserted was necessary to prevent noncitizens from registering to vote.

But when the case eventually went to trial in 2018, the evidence presented by Kansas showed that the law had blocked tens of thousands of eligible Kansans from voting while doing nothing to promote election integrity. At the trial, Kansas’s own expert witness estimated that “more than 99% of the individuals” whose registration applications were suspended for failure to provide DPOC “are United States citizens,” and the District Court found that his estimate as to the number of noncitizens on the suspense list was “statistically indistinguishable from zero.”<sup>21</sup>

Kansas also presented evidence from its own investigations showing that, “[a]t most,” a total of only 39 non-citizens became registered to vote in Kansas over the last 19 years—about two per year, or a total of approximately 0.002% of the registered voters in Kansas. And the

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<sup>17</sup> *Fish v. Kobach*, 309 F. Supp. 3d 1048, 1068 (D. Kan. 2018).

<sup>18</sup> *Id.* at 1069.

<sup>19</sup> *Id.* at 1071.

<sup>20</sup> *Fish v. Kobach*, 840 F.3d 710, 755 (10th Cir. 2016).

<sup>21</sup> *Fish v. Kobach*, 309 F. Supp. 3d 1048, 1092 (D. Kan. 2018).

state’s own records indicated that even this paltry handful of registrations could be “largely explained by administrative error, confusion, or mistake,” with noncitizens sometimes becoming inadvertently registered even when they affirmatively stated that they were noncitizens on their DMV applications (for example, by checking the Box “No” in response to the question “Are you a citizen?”).<sup>22</sup> While errors in a voter registration system should always be addressed, some mistakes are inevitable. To put these numbers in perspective, evidence at trial showed that the number of noncitizens registered to vote in Kansas was about one-tenth the number of registrants in Kansas who have dates of registration that precede their dates of birth (approximately 400 people total)—but no one has expressed concern about an epidemic of illegal registration by the unborn. Rather, everyone recognizes that in a state with 1.8 million voters, some administrative errors are inevitable.

The trial court permanently blocked the law in its entirety prior to the 2018 midterm elections. The case is now back on appeal in the Tenth Circuit, where it was argued last April.

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Proponents of the laws described above insist that they are necessary to preserve election integrity, despite the absence of evidence that these laws actually prevent fraud. In fact, each of the laws described above kept tens of thousands of eligible Americans from becoming registered to vote. It should go without saying that the integrity of our elections is not served, but rather is *damaged* when the voices of so many eligible Americans are silenced.

### **III. A Best Practice: Election Day Registration**

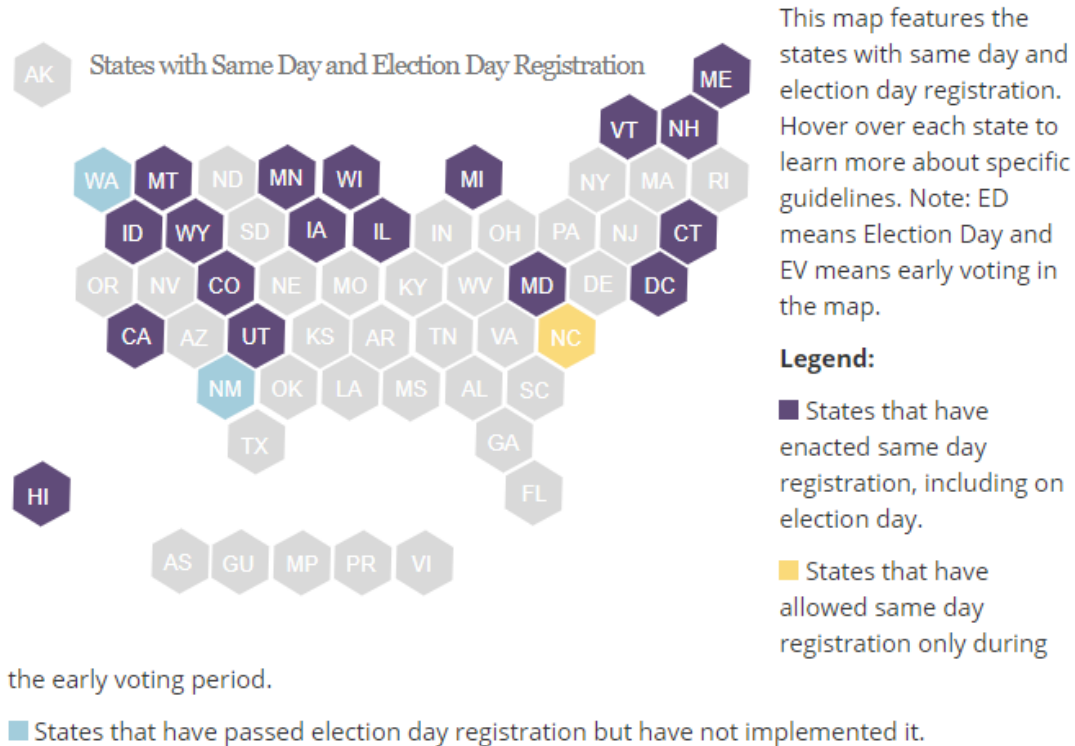
There are many good voter registration practices that we can discuss, but I will focus on one in particular: Election Day Registration, which permits people to register to vote and cast a ballot in a single trip to the polls or an elections office on Election Day.

Twenty states and the District of Columbia have adopted some form of Election Day Registration (“EDR”) or same-day registration (“SDR”—essentially the same practice, but during the early voting period only, and not on Election Day itself) . The map on the following page, from the National Conference of State Legislatures, depicts the states that have implemented or adopted some form of EDR or SDR:

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<sup>22</sup> *Fish v. Kobach*, 309 F. Supp. 3d 1048, 1102 (D. Kan. 2018).





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The states that have adopted EDR or SDR do not fit into a single ideological bucket but rather are a mix of so-called “blue” states like California and Hawaii; “red” states like Idaho, Wyoming, and Utah; and “swing” states like Wisconsin, Michigan, Iowa, and North Carolina. EDR is increasingly popular – within the last 12 months alone, five states have adopted it: Chairman Raskin’s home state of Maryland, plus Michigan, Utah, Washington—and, earlier this year, New Mexico became the latest state to do so. Four additional states currently have pending or proposed legislation that would establish EDR in their states: Massachusetts, Nevada, New Jersey, and New York.

EDR is regarded by political scientists as **the single most effective reform at increasing voter turnout**. Political science research consistently shows a statistically significant and positive relationship between EDR and turnout.<sup>24</sup> Some studies suggest that EDR has its

<sup>23</sup> National Conference of State Legislatures, Same Day Voter Registration, April 17, 2019, available at <http://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>.

<sup>24</sup> See, e.g., Jonathan Nagler, *The Effect of Registration Laws and Education on U.S. Voter Turnout*, 85 AM. POL. SCI. REV. 1393 (1991) (estimating a .03-2.2% increase); Robert A. Jackson, *Voter Mobilization in the 1986 Midterm Election*, 55 J. POL. 1081 (1993) (5.6-9.8%); Steven J. Rosenstone and John Mark Hansen, *MOBILIZATION, PARTICIPATION, AND DEMOCRACY IN AMERICA* (1993) (5.6%); Mark J. Fenster, *The Impact of Allowing Day of Registration Voting on Turnout in U.S. Elections from 1960 to 1992*, 22 AM. POL. RES. 74 (1994) (4.7%); Staci L. Rhine, *Registration Reform and Turnout Change in the American States*, 23 AM. POL. RES. 409 (1995) (3%); Staci L. Rhine, *An Analysis of the Impact of Registration Factors on Turnout in 1992*, 18 POL. BEHAVIOR 171 (1996) (14%); Benjamin Highton and Raymond E. Wolfinger, *Estimating the Effects of the National Voter Registration Act of 1993*, 20 POL. BEHAVIOR 79 (1998) (8.7%); Craig Leonard Briens and Bernard Grofman, *Election Day*

most significant effects in boosting turnout among historically low-turnout demographics like low-income voters and voters of color.<sup>25</sup> In the last midterm, the two states with the highest youth (ages 18-24) turnout rates were Wisconsin (47.7%) and Minnesota (42.7%)—both EDR states, and both well above the national average for youth turnout (32.4%).<sup>26</sup>

Collectively, academic studies indicate that EDR boosts turnout in the range of 3-9 percentage points.<sup>27</sup> The United States Government Accountability Office has concluded similarly.<sup>28</sup> This makes sense: allowing registration and voting on the same day abbreviates a two-step process into a single event; permitting registration on Election Day itself takes advantage of voter interest when it is at its highest; and allowing voters to update or correct their registrations on Election Day ensures that voters are not disenfranchised by meaningless deadlines or administrative errors that mistakenly leave them off of the rolls.

Recent internet-based research provides additional real-time evidence suggesting that EDR increases participation.<sup>29</sup> Interest in voting increases as Election Day draws closer, with research showing that more people search the internet for information about how to register to vote, and that those searches are accompanied by increasing voter registration activity. After a state's voter registration deadline, however, voter registration plummets, even as internet searches for voter registration continue to surge and eventually peak on Election Day itself. All of this suggests that states can maximize voter registration by permitting voters to register when they are most interested in doing so—by eliminating voter registration deadlines and permitting registration up to and including on Election Day itself. The research suggests that, nationally, Election Day Registration would add 3-4 million votes in a presidential election.<sup>30</sup>

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*Registration's Effect on U.S. Voter Turnout*, 82 SOC. SCI. Q. 172 (2001) (4-7%); Stephen Knack, *Election-day Registration: The Second Wave*, 29 AM. POL. RES. 65 (2001) (3-6%); Mary Fitzgerald, *Greater Convenience but Not Greater Turnout: The Impact of Alternative Voting Methods on Electoral Participation in the United States*, 33 AM. POL. RES. 842 (2005) (1.4-3.3%); Caroline Tolbert, Todd Donovan, Bridgett King, and Shaun Bowler, *Election Day Registration, Competition, and Voter Turnout*, in DEMOCRACY IN THE STATES: EXPERIMENTS IN ELECTION REFORM (2008) (2-4.5%); Michael J. Hanmer, DISCOUNT VOTING: VOTER REGISTRATION REFORMS AND THEIR EFFECTS (2009) (2.8-11%); Roger Larocca and John S. Klemanski, *U.S. State Election Reform and Turnout in Presidential Elections*, 11 ST. POLITICS & POLICY Q. 76 (2011) (finding an average of 6.2% increase across models); Jacob R. Neiheisel and Barry C. Burden, *The Impact of Election Day Registration on Voter Turnout and Election Outcomes*, 40 AM. POL. RES. 636 (2012) (3.3%).

<sup>25</sup> See, e.g., Briens and Grofman, *supra* note 24.

<sup>26</sup> Barry Burden, @bcburden, Twitter, <https://twitter.com/bcburden/status/1121214784102440960> (citing 2018 Census Bureau Voter Registration Supplement data).

<sup>27</sup> Marjorie Randon Hershey, *What We Know about Voter-ID Laws, Registration, and Turnout*, 42 PS: POL. SCI. & POLITICS 87 (2009). See also Benjamin Highton, *Voter Registration and Turnout in the United States*, 2 PERSPECTIVES POL. 507 (2004).

<sup>28</sup> United States Government Accountability Office, *ISSUES RELATED TO REGISTERING VOTERS AND ADMINISTERING ELECTIONS* (GAO-16-360) (2016).

<sup>29</sup> Alex Street et al., *Estimate Voter Registration Deadline Effects with Web Search Data*, 1 POL. ANALYSIS 1 (2015) (finding that if registration deadlines nationwide were extended to Election Day, national turnout would have increased by 3% and total registered voters would have increased by 2%).

<sup>30</sup> See *id.*

Opponents of EDR sometimes raise concerns about fraud. But EDR is actually *more* secure than traditional forms of registration for several reasons: (1) it is conducted in person; (2) EDR procedures are usually subject to heightened documentation requirements regarding proof of residency and identity; and (3) some states employ additional safeguards around EDR ballots, such as requiring the use of provisional ballots that are only counted after a voter’s registration application is fully vetted and confirmed. Ultimately, concerns about EDR seem to be based more in a fear of the unknown than any actual experience—after all, election integrity is not considered to be a more significant problem in EDR states like Idaho, Utah, and Vermont.

### **Conclusion**

The United States has one of the lowest registration rates in the western world.<sup>31</sup> While the reasons for this are complicated and multi-faceted, we should not accept the cynical proposition that we as Americans are somehow more apathetic than our friends in other democracies. Our government is more representative, responsive, and accountable, when more rather than fewer Americans participate. We should be working together to do everything we can to build a strong, vibrant, and inclusive democracy.

I thank you again for the opportunity to testify before you, and look forward to answering any questions that you have.

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<sup>31</sup> See DeSilver, *supra* note 3.