



# Wisconsin Elections Commission

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DATE: September 15, 2023

TO: Wisconsin Municipal Clerks  
Wisconsin County Clerks  
City of Milwaukee Election Commission  
Milwaukee County Elections Commission

FROM: Wisconsin Elections Commission (WEC)

SUBJECT: National Mail Voter Registration Form

1. **Summary.** The National Mail Voter Registration Form (“National Form”) cannot be used in Wisconsin to register voters.
2. **Background.**

The National Form is commonly distributed at military installations, embassies, and consulates. It is now accepted in 48 states. As a result, municipal clerks and their staff may receive the National Form from voters in the military or from those living overseas. Wisconsin residents may also encounter the form online, or in third-party mailings, and submit it to their municipal clerk. In all cases, the National Form can no longer be accepted for voter registration purposes.

The form, also called the “NVRA Form” or the “Federal Form,” is published by the U.S. Election Assistance Commission (EAC) and appears as shown here on the EAC website:  
[https://www.eac.gov/sites/default/files/eac\\_assets/1/6/Federal\\_Voter\\_Registration\\_ENG.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf)

A Waukesha County Circuit Court recently ruled that the National Form may not be used for voter registration in Wisconsin. Braun v. WEC, 2022CV1336. The court further directed the WEC to notify all Municipal Clerks of this finding, and to remove any published guidance indicating the form is acceptable. Although the form has been used in Wisconsin since 1994, it was originally approved by the State Elections Board and not subsequently re-approved by the WEC. The Court noted that the Wisconsin Elections Commission had not prescribed use of the form under the authority granted in Wis. Stat. § 6.33.

3. **Implementation.**

If municipalities receive a completed National Form, the municipal clerk cannot accept the form for registration purposes, unless or until such time as the Commission prescribes use of the

*Wisconsin Elections Commissioners*

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National Mail Voter Registration Form in Wisconsin, or the Commission or a competent court of law determines the form to be lawful for use in Wisconsin. Instead, the WEC recommends that clerks inform the applicant how to lawfully register in Wisconsin using the prescribed form EL-131 or through the online voter registration process on MyVote Wisconsin (<https://myvote.wi.gov>). This is similar to the procedure established in Wisconsin Administrative Code s. EL 3.03(2), which requires follow-up action when clerks receive incomplete forms, and states that:

If information is missing from a voter registration application form, the municipal clerk shall contact the applicant by any means feasible, including in person, by email, facsimile transmission, or telephone, to obtain the missing information.

The only other state to reject the National Form, New Hampshire, likewise treats the form as a request for registration information.

Clerks should be mindful of election deadlines when processing registration requests or requests for registration information. The third Wednesday before an election is the last day to register online. Wis. Stat § 6.28(1)(a). The Friday preceding an election is the last day to register at a clerk's office or other designated location. Wis. Stat. § 6.29(2)(a). After the deadline, a voter's only recourse is to register at the polls on Election Day.

On September 14, 2023 the six member Wisconsin Elections Commission met to discuss the Braun ruling and voted to issue this memo to clerks.

4. **Other Forms Not Affected.** The Federal Post Card Application (FPCA) and Federal Write-In Absentee Ballot (FWAB) are **not affected** by this ruling and should be accepted from military and overseas voters.

5. **Summary.**

- a. The National Mail Voter Registration Form cannot be used in Wisconsin to register voters.
- b. Clerks who receive the form should contact the applicant to let them know the form cannot be accepted and to explain proper registration procedures in Wisconsin.
- c. Clerks should be mindful of election deadlines when processing registration requests.
- d. The Federal Post Card Application (FPCA) and Federal Write-In Absentee Ballot (FWAB) remain acceptable for use in Wisconsin.
- e. This is the approved guidance of the bipartisan Wisconsin Elections Commission.

6. **Questions.** Call the WEC Help Desk at 608-261-2028 or e-mail [elections@wi.gov](mailto:elections@wi.gov).