

TO: Rep. Ed Perlmutter
FR: Molly Parris
RE: H.R. 645- Automatic Voter Registration Act
DT: April 9, 2019

Background

- Elections in the U.S. marked by low voter turnout
 - 2016: 58.1%
 - 2012: 58.6%
 - 2008: 54.2%
- National Voter Act of 1993 attempted to remedy this issue by making voter registration available at the DMV
 - The 1995-1996 Impact of The National Voter Registration Act of 1993 on the Administration of Elections for Federal Office
 - 72.77% of the Voting Age Population was registered
 - 2/3 of registrations were new transactions
- Voter registration still low
 - 21.4% of eligible citizens are not registered to vote (U.S. Census Bureau)
- Population of unregistered voters in the U.S. disproportionately made up of young people and minority groups
 - Pool of voters unrepresentative of the general population
 - Pool of elected officials also unrepresentative of the general population

The Bill

The Automatic Voter Registration Act was introduced in the House on January 17, 2019 by Representative David N. Cicilline (D-RI). Currently, the bill has 115 cosponsors, all of which are Democrats. This includes Representatives Crow, DeGette, and Neguse from Colorado, as well as 37 members of the New Democrat Coalition. Additionally, this is a bill you supported in the 115th Congress.

The bill requires every state to institute automatic voter registration for any individual that provides identifying information at the state motor vehicle authority. When an individual seeks a service from their local DMV, the office will transmit the following information to the state election office:

- a) The individual's legal name.
- b) The individual's age.
- c) The individual's residence.
- d) The individual's citizenship status.
- e) The individual's electronic signature.

Once the State receives the identifying information, the individual has 21 days to decline registration. If they do not decline, they will automatically be registered to vote.

This bill doesn't eliminate the provisions of the National Voter Act of 1993 requiring states to establish voter registration systems by mail and in-person applications at designated Federal, State, or nongovernmental offices. AVR would be an addition to these, and other methods, such as online voter registration offered by the State of Colorado.

Relevance to Colorado

Colorado instituted a version of AVR in 2017. Eligible citizens that go to the DMV have their voter registration information electronically transferred to state elections officials, unless they decline. The main difference is Colorado has an opt-in system - an individual is asked whether they want to register to vote and their information is then electronically submitted. H.R. 645 is an opt-out system -where the information is automatically sent to the state election officials after a standard DMV encounter, and individuals are later informed of their registration, when they are given the option to opt-out of it.

Research by Richard Thaler, winner of the 2017 Nobel Prize of Economics, suggests that opt-out or “nudge” policies are more effective in getting people to do what we want them to than opt-in systems because behavioral economics show that people are less likely to opt-out than opt-in to something. In this way, instituting H.R. 645 is likely to increase voter registration in Colorado even more than our current AVR system.

This measure is part of Colorado’s voter registration modernization process, a priority in the state. It accompanies online voter registration, Election Day registration, preregistration, and electronic pollbooks. These steps have both increased voter registration and provided financial benefits to the state. For example, instituting online voter registration at DMV offices costs ¼ of processing paper registrations. In addition, 119,605 new voter registrations were received by the state between November 2014 and November 2016 through the online portal, and 19,190 new voters registered to vote on Election Day or during the early voting period during the 2016 election.

Analysis and Recommendation

Automatic Voter Registration is an effective way to fix both the public policy problem of low voter turnout and the demographic issues associated with our current registration system. Fifteen states and the District of Columbia have already implemented systems of AVR and been successful in both registering more citizens to vote and increasing voter turnout.

Oregon was the first state to implement AVR in 2015. The Center for American Progress analyzed Oregon’s system, determining that more than 242,000 new people were added to Oregon’s voter rolls after they instituted AVR – 40% of these registrants and 37% of those who went on to vote in the 2016 election were 30 or younger.

CAP determined that about 42.5% of 242,000 new voters were unlikely to have registered otherwise and 34.4% of previously disengaged voters turned out to vote in the 2016 elections. Additionally, Oregon’s electorate is now more representative of the state’s population: younger, more rural, lower income, and more ethnically diverse. CAP estimates that instituting AVR in all 50 states and Washington DC could result in 22 million new registered voters in just one year.

A possible point of opposition to this bill is the idea that non-citizens could be automatically registered to vote, promoting fraud in our elections. In certain states, like Colorado, driver’s licenses are provided regardless of documentation status. However, it is still illegal for non-citizens to vote in elections and AVR doesn’t change that. In fact, ID’s for undocumented immigrants have a bar that specifically says the ID is not valid for voting.

When the Democrats took control of the House in January of 2019, they introduced H.R.1, the For the People Act, to show what their priorities for the 116th Congress are. This bill, which passed the House on March 8, includes provisions to expand voter access, as well as reform campaign finance regulations and improve government ethics. Passing H.R. 645, and instituting a system of Automatic Voter Registration,

will help to work towards making these priorities a reality, and expand voting rights and access to millions of Americans.