

108TH CONGRESS  
2D SESSION

# H. R. 4972

To amend the National Voter Registration Act of 1993 to permit certain individuals who are under the minimum legal voting age to complete voter registration application forms, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Mr. MARKEY (for himself, Ms. LINDA T. SÁNCHEZ of California, Mr. McNULTY, Mr. RYAN of Ohio, Mr. LEWIS of Georgia, Mrs. CHRISTENSEN, Mr. FROST, Mr. OWENS, Mr. HINCHEY, and Mr. DEUTSCH) introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To amend the National Voter Registration Act of 1993 to permit certain individuals who are under the minimum legal voting age to complete voter registration application forms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gateway to Democracy  
5 Act of 2004”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1           (1) The right of citizens of the United States  
2 to vote is a fundamental right.

3           (2) It is the responsibility of the Federal, State,  
4 and local governments to ensure that voter registra-  
5 tion laws and procedures enhance the participation  
6 of eligible citizens as voters.

7           (3) Young adults often fail to participate in the  
8 first election for which they are eligible to vote.

9           (4) Young adults are consistently the age group  
10 with the lowest voter turnout. According to the Bu-  
11 reau of the Census, in the 2000 general election only  
12 45.4% of 18 to 24 year olds were registered to vote  
13 and only 32.3% voted. The statistics for the 1998  
14 general election were even more dismal, as 39.2% of  
15 such individuals were registered and a mere 16.6%  
16 actually went to the polls.

17           (5) One of the reasons for the failure of young  
18 adults to vote is that most States require registra-  
19 tion prior to the election itself, so that it is too late  
20 to establish voter eligibility on Election Day.

21           (6) The National Voter Registration Act of  
22 1993 established that the simultaneous application  
23 for voter registration with the application for a  
24 motor vehicle driver's license provides the govern-

1       ment with an effective mechanism for increasing ac-  
2       cess to voter registration.

3           (7) While many States allow individuals to get  
4       their license before they meet the age requirement  
5       for voter registration, few States allow registration  
6       at that time if the potential voter has not yet  
7       reached the minimum voting age.

8           (8) In order to remove this barrier, increase the  
9       effectiveness of the National Voter Registration Act  
10      of 1993, and ensure that the maximum number of  
11      young adults is given the opportunity to register to  
12      vote, a procedure should be established to allow  
13      young adults who do not yet meet the voting age re-  
14      quirement to nevertheless register to vote at the  
15      time they apply for their driver's licenses.

16          (9) Hawaii, Connecticut, Iowa, Florida, Maine,  
17      Missouri, and Texas have already implemented suc-  
18      cessful pre-registration programs which allow indi-  
19      viduals to register to vote prior to meeting all of the  
20      eligibility requirements for registration.

21      (b) PURPOSE.—It is the purpose of this Act—

22          (1) to increase the effectiveness of the National  
23      Voter Registration Act of 1993;

24          (2) to expand the categories of individuals who  
25      are given the opportunity to register to vote under

1 the National Voter Registration Act of 1993 to in-  
 2 clude young adults who do not yet meet the min-  
 3 imum age requirement to vote; and

4 (3) to encourage civic engagement by young  
 5 adults.

6 **SEC. 3. PERMITTING CERTAIN INDIVIDUALS UNDER MIN-**  
 7 **IMUM LEGAL VOTING AGE TO COMPLETE**  
 8 **VOTER REGISTRATION APPLICATION FORMS.**

9 (a) FORMS PROVIDED WITH APPLICATIONS FOR  
 10 MOTOR VEHICLE DRIVER'S LICENSE.—Section  
 11 5(c)(2)(C)(ii) of the National Voter Registration Act of  
 12 1993 (42 U.S.C. 1973gg–3(c)(2)(C)(ii)) is amended by  
 13 striking “requirement” and inserting the following: “re-  
 14 quirement (or, in the case of an applicant who is under  
 15 the minimum legal voting age, an attestation that the ap-  
 16 plicant will reach such age prior to voting)”.

17 (b) FORMS PROVIDED BY OTHER DESIGNATED  
 18 VOTER REGISTRATION AGENCIES.—Section  
 19 7(a)(6)(A)(i)(II) of such Act (42 U.S.C. 1973gg–  
 20 5(a)(6)(A)(i)(II)) is amended by striking “requirement”  
 21 and inserting the following: “requirement (or, in the case  
 22 of an applicant who is under the minimum legal voting  
 23 age, an attestation that the applicant will reach such age  
 24 prior to voting)”.

25 (c) MAIL VOTER REGISTRATION FORM.—

1           (1) IN GENERAL.—Section 9(b)(2)(B) of such  
2       Act (42 U.S.C. 1973gg–7(b)(2)(B)) is amended by  
3       striking “requirement” and inserting the following:  
4       “requirement (or, in the case of an applicant who is  
5       under the minimum legal voting age, an attestation  
6       that the applicant will reach such age prior to vot-  
7       ing)”.

8           (2) CONFORMING AMENDMENT REGARDING  
9       CHECK-OFF BOX FOR AGE.—Section 303(b)(4)(A)(ii)  
10      of the Help America Vote Act of 2002 (42 U.S.C.  
11      15483(b)(4)(A)(ii)) is amended to read as follows:

12                       “(ii) The question ‘If you are under  
13                       the minimum legal voting age, will you cer-  
14                       tify that you understand that this applica-  
15                       tion will not become effective and you will  
16                       not be able to vote in any election prior to  
17                       reaching that age?’ and boxes for the ap-  
18                       plicant to check to indicate whether or not  
19                       the applicant will so certify.”.

20      (d) RULE OF CONSTRUCTION REGARDING MINIMUM  
21      AGE FOR SUBMISSION OF FORMS.—Section 8 of the Na-  
22      tional Voter Registration Act of 1993 (42 U.S.C. 1973gg–  
23      6) is amended—

24                       (1) by redesignating subsection (j) as sub-  
25      section (k); and

1           (2) by inserting after subsection (i) the fol-  
2       lowing new subsection:

3       “(j) MINIMUM AGE FOR SUBMISSION OF FORMS.—  
4       Nothing in this Act may be construed to require a State  
5       to accept any voter registration application form from an  
6       individual who, at the time of submitting the form, has  
7       not attained the age at which the individual may apply  
8       for a motor vehicle driver’s license in the State.”.

9       **SEC. 4. MAINTENANCE AND AVAILABILITY OF INFORMA-**  
10                   **TION ON INDIVIDUALS UNDER MINIMUM**  
11                   **LEGAL VOTING AGE.**

12       Section 303(a)(1)(A) of the Help America Vote Act  
13       of 2002 (42 U.S.C. 15483(a)(1)(A)) is amended by adding  
14       at the end the following new clause:

15                   “(ix) In addition to the information  
16                   on legally registered voters which is main-  
17                   tained on the list, the State shall maintain  
18                   information on those individuals in the  
19                   State who have completed applications for  
20                   voter registration prior to reaching the  
21                   minimum legal voting age, and shall make  
22                   the information available to election offi-  
23                   cials in the State.”.

1 **SEC. 5. EFFECTIVE DATE.**

2       The amendments made by this Act shall apply with  
3 respect to applications to register to vote in elections oc-  
4 ccurring in a State after the date on which the State is  
5 required to comply with the requirements of section  
6 303(a) of the Help America Vote Act of 2002 (relating  
7 to the implementation of a computerized Statewide voter  
8 registration list).

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