

114TH CONGRESS
1ST SESSION

S. 1970

To establish national procedures for automatic voter registration for elections
for Federal office.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2015

Mr. SANDERS introduced the following bill; which was read twice and referred
to the Committee on Rules and Administration

A BILL

To establish national procedures for automatic voter
registration for elections for Federal office.

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 “Raising Enrollment
5 with a Government Initiated System for Timely Electoral
6 Registration (REGISTER) Act of 2015”.

7 **SEC. 2. TRANSMISSION OF INFORMATION TO STATE OR**
8 **LOCAL ELECTION OFFICIALS.**

9 (a) DESIGNATION OF SOURCE AGENCIES.—

1 (1) IN GENERAL.—Each State shall designate
 2 agencies for purposes of providing source informa-
 3 tion for voter registration for elections for Federal
 4 office under this Act (in this Act referred to as a
 5 “source agency”).

6 (2) SOURCE AGENCY.—

7 (A) IN GENERAL.—Source agencies des-
 8 ignated under paragraph (1) shall include the
 9 following:

10 (i) The State motor vehicle authority.

11 (ii) Any office in the State designated
 12 as a voter registration agency pursuant to
 13 section 7(a) of the National Voter Reg-
 14 istration Act of 1993 (52 U.S.C.
 15 20506(a)).

16 (B) DESIGNATION OF ADDITIONAL AGEN-
 17 CIES.—In addition to the agencies described in
 18 subparagraph (A), a State may designate as a
 19 source agency an agency that collects (as of the
 20 date of enactment of this Act) information nec-
 21 essary to determine eligibility to vote in an elec-
 22 tion for Federal office.

23 (b) REQUIRED TRANSFER OF INFORMATION TO
 24 ELECTION OFFICIALS.—

1 (1) IN GENERAL.—Not less frequently than
2 every 14 days, subject to paragraph (2), a source
3 agency shall transfer electronically to State or local
4 election officials certain basic information collected
5 since the preceding transfer of information under
6 this subsection with respect to individuals. Such in-
7 formation shall be transferred in a format that can
8 be reviewed by those officials and translated and
9 uploaded onto the computerized statewide voter reg-
10 istration database.

11 (2) DAILY TRANSFER DURING 14 DAYS PRE-
12 CEDING VOTER REGISTRATION DEADLINE FOR GEN-
13 ERAL ELECTION.—During the 14-day period pre-
14 ceding the voter registration deadline for a general
15 election, a source agency shall transfer such infor-
16 mation under paragraph (1) not less frequently than
17 on a daily basis.

18 (c) NOTIFICATION OF INDIVIDUALS.—A source agen-
19 cy shall, with respect to any individual disclosing informa-
20 tion to the agency that may be relied upon to determine
21 eligibility to register to vote in elections for Federal of-
22 fice—

23 (1) notify the individual that such information
24 will be transferred in accordance with subsection (b);
25 and

1 (2) provide the individual the opportunity to opt
2 out of automatic voter registration.

3 **SEC. 3. ADMINISTRATION OF VOTER REGISTRATION.**

4 (a) REGISTRATION OF ELIGIBLE VOTERS NOT PRE-
5 VIOUSLY REGISTERED.—

6 (1) IN GENERAL.—If the information trans-
7 ferred under section 2(b) reflects an individual not
8 included on the voter registration list, and if the ap-
9 propriate election official determines that the indi-
10 vidual meets the qualifications to vote in an election
11 for Federal office and is not otherwise ineligible to
12 vote in such an election (or has not elected to opt
13 out of automatic voter registration pursuant to sec-
14 tion 2(c)(2)), the State shall ensure that the eligible
15 voter is registered to vote in accordance with this
16 subsection and is added to the voter registration list.

17 (2) NOTIFICATION.—If State or local election
18 officials determine, in accordance with paragraph
19 (1), that an individual is an eligible voter, State elec-
20 tion officials shall—

21 (A) notify the individual in writing that
22 they have been registered to vote; and

23 (B) inform the individual of the process to
24 adopt a political party affiliation.

1 (b) UPDATING OF INFORMATION OF REGISTERED
 2 VOTERS.—If the information transferred under section
 3 2(b) reflects an individual already included on the voter
 4 registration list, and if the information reliably indicates
 5 a more recent change to the name or address of the indi-
 6 vidual, the State shall ensure that the records of the indi-
 7 vidual on the voter registration list are updated accord-
 8 ingly.

9 (c) NOTHING PRECLUDING REGISTRATION.—Noth-
 10 ing in this section shall preclude a person who has pre-
 11 viously declined voter registration from subsequently reg-
 12 istering.

13 (d) NO IMPACT ON APPLICATION OF NVRA.—Each
 14 State shall maintain all obligations applicable as of the
 15 date of enactment of this Act to register voters upon re-
 16 ceipt of a valid voter registration application through
 17 means provided by the National Voter Registration Act
 18 of 1993 (52 U.S.C. 20501 et seq.).

19 **SEC. 4. VOTER REGISTRATION REQUIREMENTS.**

20 (a) Nothing in this Act shall be construed to amend
 21 the substantive qualifications of a voter in a State.

22 (b) Nothing in this Act shall be construed to interfere
 23 with the authority or obligation of any election official,
 24 under State or Federal law, to—

1 (1) determine whether an individual is eligible
2 to vote; or

3 (2) conduct regular, nondiscriminatory list
4 maintenance designed to ensure that individuals who
5 are not eligible to vote are not reflected as voters on
6 the statewide voter registration list in accordance
7 with the National Voter Registration Act of 1993
8 (52 U.S.C. 20501 et seq.).

9 **SEC. 5. PROTECTIONS AGAINST LIABILITY OF INDIVID-**
10 **UALS.**

11 Notwithstanding any other provision of law, any indi-
12 vidual who is not eligible to vote and who becomes reg-
13 istered to vote under this Act shall not be found on that
14 basis to have made a false claim to citizenship or to have
15 committed an act involving moral turpitude under Federal
16 law, unless such individual affirmatively asserts that he
17 or she is a United States citizen by signing a document
18 that so states after the date of enactment of this Act.

19 **SEC. 6. PRIVACY AND SECURITY STANDARDS.**

20 (a) **PRIVACY AND SECURITY POLICY.**—The State
21 shall publish and enforce a privacy and security policy
22 specifying each class of users who shall have authorized
23 access to the computerized statewide voter registration
24 list, specifying for each such class the permission and lev-
25 els of access to be granted, and setting forth other safe-

1 guards to protect the privacy and security of the informa-
2 tion on the list. Such policy shall include security safe-
3 guards to protect personal information in the data trans-
4 fer process. This policy shall—

5 (1) prohibit public disclosure of certain voter in-
6 formation, including the source of a voter’s registra-
7 tion and any information not necessary to voter reg-
8 istration;

9 (2) protect against public disclosure of Social
10 Security numbers and digits, driver’s license num-
11 bers, and signatures;

12 (3) prohibit public disclosure of an individual’s
13 decision not to register to vote;

14 (4) prohibit agencies from transmitting to elec-
15 tion officials information other than that required
16 for voter registration or specified information rel-
17 evant to the administration of elections, including
18 language preference and demographic information;
19 and

20 (5) prohibit the disclosure of information relat-
21 ing to persons in categories designated confidential
22 by Federal or State law.

23 (b) NO UNAUTHORIZED ACCESS.—The State shall
24 establish polices and enforcement procedures to prevent
25 unauthorized access to the statewide voter registration

1 database and to any list provided by a source agency or
2 list maintenance source.

3 (c) INTER-AGENCY TRANSFERS.—The State shall es-
4 tablish policies and enforcement procedures to maintain
5 security during inter-agency transfers of information re-
6 quired or permitted under this Act. Each source agency
7 participating in such inter-agency transfers of information
8 shall facilitate and comply with such policies. Nothing in
9 this subsection shall prevent a source agency from estab-
10 lishing and enforcing additional security measures to pro-
11 tect the confidentiality and integrity of inter-agency data
12 transfers.

13 (d) RECORDS RETENTION.—The State shall, as pro-
14 vided in this subsection, establish standards and proce-
15 dures to maintain all election records required for pur-
16 poses of this Act, including for the purpose of determining
17 the eligibility of individuals casting provisional ballots.
18 Records for voters who have been retained on the state-
19 wide voter registration database but identified as ineligible
20 to vote within the State, or removed from the statewide
21 voter registration list due to ineligibility, shall be main-
22 tained and kept available until at least the date of the
23 second general election for Federal office that occurs after
24 the date that the voter was identified as ineligible.

1 **SEC. 7. PROTECTIONS AGAINST MISUSE OF INFORMATION.**

2 (a) RESTRICTION ON USE OF REGISTRATION
 3 RECORDS.—No person acting under color of law may use
 4 the statewide voter registration list to attempt to deter-
 5 mine the citizenship status of any individual for any pur-
 6 pose other than voter registration, election administration,
 7 or the enforcement of laws against election crimes.

8 (b) RESTRICTION ON USE OF INFORMATION.—No in-
 9 formation relating to an individual's absence from the
 10 statewide voter registration list or an individual's declina-
 11 tion to supply information for voter registration purposes
 12 at a source may be disclosed to the public, or used for
 13 any purpose other than voter registration, election admin-
 14 istration, or the enforcement of laws against election
 15 crimes.

16 (c) NONDISCRIMINATION.—No person acting under
 17 color of law may discriminate against any individual on
 18 the basis of the individual's absence from the statewide
 19 voter registration list, the information supplied by the in-
 20 dividual for voter registration purposes at a source, or the
 21 individual's declination to supply such information, except
 22 as required to administer elections or enforce election
 23 laws.

24 **SEC. 8. SPECIAL PROCEDURES RELATING TO TRANSITION.**

25 (a) INITIAL NOTIFICATION.—Not later than 180 days
 26 following the date of enactment of this Act, each State

1 shall mail information regarding automatic voter registra-
2 tion, including the process to opt out of automatic voter
3 registration, to any individual in the State who has pro-
4 vided information necessary to determine eligibility to vote
5 in an election for Federal office to a designated source
6 agency within the 2 years preceding such date of enact-
7 ment and who is not already registered to vote in the
8 State.

9 (b) OPPORTUNITY TO OPT OUT.—Any individual re-
10 ceiving such information shall have 21 calendar days to
11 opt out of automatic voter registration under this Act.

12 (c) AUTOMATIC REGISTRATION.—If the State does
13 not receive an opt-out notification from an individual by
14 the end of such 21-day period, the individual shall be reg-
15 istered to vote in the State.

○