



VOTER REGISTRATION & AFFORDABLE CARE ACT ENROLLMENT

A Manual for Enrollment Assisters

September 2014

DISCLAIMERS

WE ARE NON-PARTISAN

Project Vote is a 501(c)(3) non-partisan, non-profit organization, and its support and training of enrollment assisters is also entirely non-partisan. Non-partisan means that no aspect of this program will, in any way, advocate, encourage, suggest, or imply the favoritism or preference of one political candidate or party over another.

DISCLAIMER

The information contained in this manual is for general guidance only. It does not constitute legal advice and should not be used as a substitute for consultation with professional legal or other competent advisers. Project Vote is not responsible for any errors or omissions, or for the results obtained from the use of this information.

COPYRIGHT

©2014 by Project Vote. This paper is covered by the Creative Commons “Attribution-NonCommercial-ShareAlike” license (see <http://creativecommons.org/>). This work may be reproduced in whole or in part for non-commercial use. It may also be adapted for non-commercial use. Reproduction or adaptation must attribute Project Vote and must bear the Creative Commons “Attribution-NonCommercial-ShareAlike” license. Please notify Project Vote if reproducing or adapting this work.

TABLE OF CONTENTS

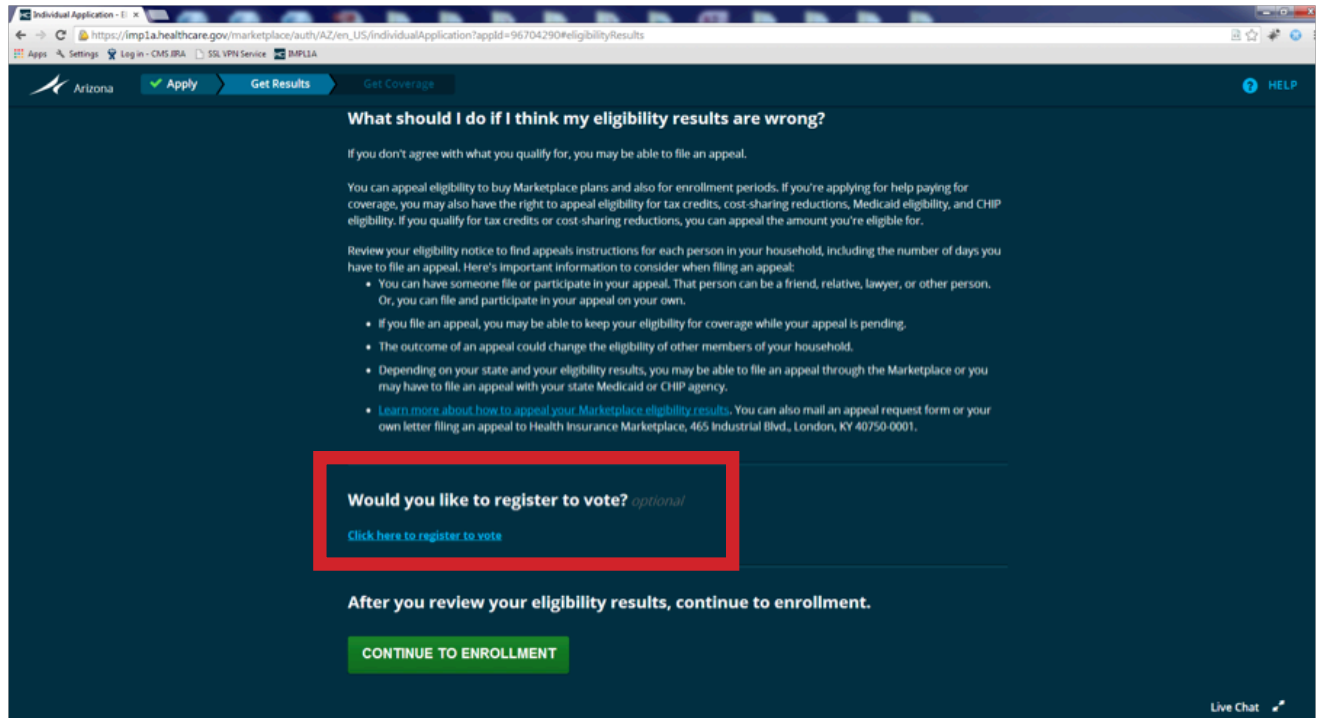
1. The voter registration question in the Federally-facilitated Exchange application	4
2. Why voter registration during enrollment?	5
3. Know your state's voter registration laws	6–7
4. What is non-partisan voter registration?	8
5. Additional considerations for the enrollment context	9–10
6. What can I do to help my clients register to vote?	11–12
7. Best practices	13–17
8. Developing an effective voter registration system	18–20
9. Project Vote contact information	21

Note:

*There is an accompanying workbook for this manual called
Voter Registration & Affordable Care Act Enrollment: Training Workbook,
available for download at
<http://www.projectvote.org/health-care-exchanges.html>.*

I. THE VOTER REGISTRATION QUESTION IN THE FEDERALLY-FACILITATED EXCHANGE APPLICATION

The Federally-facilitated Exchange benefits applications, both online and paper, contain a voter registration question. The following is a screen-shot of where the question appears in the online application process:



When clients click the link underneath the voter registration question, they are directed to a website where they can download and print a Federal Voter Registration Form.

Congress passed the National Voter Registration Act (NVRA) in 1993 to increase the number of citizens registered to vote in Federal elections. An important provision of the NVRA is the requirement to offer voter registration opportunities to clients and applicants of public assistance programs. To learn more about the relationship between the Federally-facilitated Exchange and the NVRA, please visit <http://www.projectvote.org/health-care-exchanges.html> or contact us (see Section 9 for contact information).

2. WHY VOTER REGISTRATION DURING ENROLLMENT?

Encouraging and helping clients to register to vote accomplishes many of the same objectives that motivate organizations and individuals to become involved in enrollment assistance work: the betterment of their communities and their clients' wellbeing.

Through voter registration, you can...

Make Voting More Accessible to Low-Income Americans

Voter registration rates among low-income and higher-income Americans vary greatly. Low-income citizens face technology, access, information and other barriers in registering to vote.

Nationally, 68% of all people who make more than \$60,000 are registered to vote. However, only 40% of people who make less than \$12,500 are registered.¹ Low-income citizens face technology, access, information and other barriers in registering to vote, which enrollment assisters are uniquely positioned to help them overcome.

Build Stronger Communities

- Lack of representation of low-income and minority voters means the people who are often the most affected by government policies are unable to change or participate in the conversation about those policies.
- When your clients vote, community organizations like yours have a stronger voice and a greater impact.

Empower and Improve the Health of Your Clients

- Voting is empowering and can give your clients a greater sense of control in their lives and community.
- Community involvement, including registering to vote and voting, makes people feel more powerful and more connected to their community and country, which has been shown to improve health.
- The WebMD article “Voting Counts a Healthy Habit” examines studies showing voting may have a particularly powerful effect for the disadvantaged and people with a history of mental illness.²

See Workbook Exercise # 2, p. 5

-
1. Project Vote Analysis of U.S. Census Bureau Current Population Survey Data, November 2012 Voting and Registration Supplement, Accessed 5/22/2014. Project Vote Analysis of Catalist Data, Accessed 5/22/2014
 2. WebMD Article: <http://www.webmd.com/mental-health/features/voting-counts-as-healthy-habit>. Project Vote has also written about the relationship between voter registration and health here: <http://www.projectvote.org/blog/2014/04/health-benefit-exchanges-can-improve-health-through-voter-registration-as-well-as-affordable-insurance/>

3. KNOW YOUR STATE'S VOTER REGISTRATION LAWS.

Every state has unique voter registration laws and policies. Your first step in helping your clients register to vote is to review your state's voter registration laws.

In many states, there are no additional requirements in order to print state voter registration forms, help clients fill them out, and deliver those completed forms to local election officials. However, some states have requirements like registering with the State as a 3rd party voter registration organization or turning in completed voter registration forms within several days of their collection. Failure to comply with such state laws could result in criminal penalties.

In deciding what kind of support you would like to offer to clients in registering to vote, you should thoroughly review your state's voter registration laws and rules for conducting voter registration, whether by 3rd party voter registration organizations or others.

Where to find information about your state's voter registration laws and requirements:

1. Project Vote offers guides to voter registration laws for most states. Check online to read and download your state's Voter Registration Guide: <http://projectvote.org/newsreleases/781-state-voter-registration-guides.html>
2. Meet your local election officials! The contact information of local election officials like County Clerks or County Board of Elections is usually available online at your state government's elections website.
3. Ask Project Vote for more help! Contact us if you need additional assistance locating information about your state's voter registration laws. Our contact information is listed in Section 9.

The following are the areas of state law that will most affect your potential voter registration activities. You must have clear answers to these questions before beginning any voter registration work.

1. Who is eligible to vote in your state?
2. How can a homeless person register to vote?
3. When can persons convicted of a felony vote in your state?
4. What is the deadline to turn in voter registration forms that you collect, or that your clients complete?
5. What is required in order to assist a client in filling out their voter registration form?
6. What information is required to complete your state's voter registration form?
7. Are 3rd party voter registration organizations required to undergo any state training?
8. Are 3rd party voter registration organizations required to register with the state?
9. What is required for you to print or get hard copies of your state's voter registration application form?
10. Who is allowed to help others register to vote? (For example, in some states people with felony convictions are not allowed to participate in voter registration activities.)

4. WHAT IS NON-PARTISAN VOTER REGISTRATION?

Most organizations doing enrollment work have 501(c)(3) non-partisan, nonprofit status, so you are probably already familiar with what it means to be non-partisan. However, it is especially important to remember to be non-partisan when helping clients register to vote.

NON-PARTISAN

means you will not in any way advocate, encourage, suggest, or imply the preference of one political candidate or party over another.

NON-PARTISAN VOTER REGISTRATION

means you will assist anyone to register to vote, no matter his or her political preferences or party.

Being non-partisan means you CANNOT:

- advise a client about which party to join;
- make positive or negative comments about political parties or politicians that may affect your client's decision about which party to register with or to register at all;
- dissuade clients in a different political party from yours from voting;
- only ask people who seem like they are in your political party to vote; or
- wear clothing or put up posters or stickers in your office promoting politicians or political parties.

You CAN:

- discuss the importance of voting; or
- highlight issues, like the environment or education, that are important to your clients.

If an organization or the employees of an organization with 501(c)(3) status engage in partisan activity, the organization can lose its funding and 501(c)(3) tax-exempt status, which can greatly hinder its ability to function. Most importantly, acting in a partisan way may discourage citizens from registering to vote, which is detrimental to our democracy and communities.

See Workbook Exercise # 3, p. 6

5. ADDITIONAL CONSIDERATIONS FOR THE ENROLLMENT CONTEXT

Voting is one of the most powerful actions a citizen can take. Thus, helping someone register to vote is a great service and responsibility and should be taken seriously. The following are some considerations to keep in mind as you go forward.

Voter registration does not affect your client's enrollment

When you ask clients about voter registration, it is important that they know that the decision about whether to register to vote is voluntary, and that their decision about voter registration—including their choice of political party—will not affect their enrollment or eligibility to receive other services that your organization offers.

Voter registration information won't be kept by your organization

If a client is concerned, you can let them know that your organization will not retain any of their information. For example, the organization won't keep information about whether an enrollee registered to vote, or with what party, if any, the person affiliated. Once a voter registration application is submitted to an election official, some of its contents do become publicly available.

Remember:

- You cannot offer any incentive to have someone register to vote, or offer anything in exchange for their filling out a registration form. For example, the California Secretary of State's interprets the federal law to mean that "[a]ny type of incentive is considered 'payment,' even things as seemingly innocent as cookies or admission to an entertainment event."³
- You should ask everyone about their eligibility and interest in registering—don't make assumptions and always double check.
- Your clients have the right to fill out their voter registration form in private.
- Only U.S. Citizens can register to vote. (This does not vary by state. Please find suggested language for talking to clients about citizenship and voting in Section 7.)

3. *California Secretary of State, Guide to Voter Registration Drives 10*, available at <http://www.sos.ca.gov/elections/guides/guide-to-vr-drives.pdf> (last revised March 2013).

What is Voter Registration Fraud?

Voter registration fraud is the act of knowingly providing false information on a voter registration application. When a person commits voter registration fraud, it is not always because they are actively trying to break the law – oftentimes it is because a person is not aware of the law.

Examples of voter registration fraud include:

- Asking anyone to fill in information on the application that is not true and accurate.
- Filling out a voter registration application for a person without his or her consent.
- Knowingly asking a person to complete an application who is not eligible to register to vote (e.g., she is too young, not a resident of the state, not a citizen, etc.).
- Asking a person to complete an application even though you know the person is already registered at their current residence. (If a person cannot remember if he or she is registered to vote at their current residence, it is not voter fraud to complete a voter registration application.)
- Leading a person to believe what they are filling out is not a voter registration application.
- Putting fake or made-up information on the application (e.g., completing an application with “Mickey Mouse,” or making up an address, etc.).
- Filling in any information on an incomplete application (including checking any unchecked boxes) without the applicant’s consent.

A Final Reminder

Assisters are not actually “registering” anyone to vote. Only election officials can register someone to vote. We are just assisting our clients in the process.

See Workbook Exercise # 4, p. 7

6. WHAT CAN I DO TO HELP MY CLIENTS REGISTER TO VOTE?

Activities to encourage voter registration

After reviewing the key laws in your state and special considerations for conducting voter registration activities in the enrollment context, it is time to decide which voter registration activities your organization would like to adopt. The following are several ways your organization can promote voter registration and civic engagement during the enrollment process.

TIER 1: Give clients important information about voter registration

- Give clients information about eligibility, deadlines and requirements to register to vote.
- Provide information about how and where clients can register to vote in your area.
- Refer clients to organizations or election officials that can help them register to vote.

TIER 2: Make blank voter registration forms available to your clients

- Keep blank voter registration forms in your offices and at events, available to interested clients.
- Give clients basic information about how to fill out the form and where and how to turn it in.

Tier 2 Best Practice:

Keep printed voter registration forms readily available

Generally, there are two ways to attain hard copies of voter registration forms: in your local election officials office and online at your state's elections website. Remember to double-check your state's laws around printing and copying voter registration forms for the purposes of third-party voter registration activities.

TIER 3: Help your clients register to vote in your office during enrollment sessions

- Engage with clients about the importance of voter registration.
- Help clients fill out voter registration application forms.
- Collect those completed applications and turn them in or mail them to the appropriate election officials.

Deciding whether or not to collect completed voter registration applications from clients

IMPORTANT:

In some states, organizations may have to undergo state training or register with the State in order to collect and turn in or mail completed voter registration forms. Before commencing any voter registration activities, organizations should review their state's voter registration laws. See Section 3 for more guidance about where to find information about your state's voter registration laws.

Collecting completed voter registration applications from clients and adopting a system to ensure that these forms are delivered or mailed to election officials is a very effective way to make sure your clients are registered to vote. However, even if you don't collect forms you can still make an impact by giving out voter registration forms, helping clients fill out the form, and providing information about where they can go to mail or turn in the completed forms for themselves.

Additional considerations in making the decision:

- **The importance of collecting a complete voter registration form:** If you collect an incomplete form, the person who has filled out the form thinks he or she is now going to be registered and able to vote. However, it's possible that because of the missing information, he or she will not be able to do so. It is imperative that you pay close attention and double-check each voter registration form before your client leaves to make sure it has all the required information.
- **The importance of turning in voter registration forms on time:** Failure to turn in voter registration forms on time can prevent your clients from voting and could potentially result in legal consequences for the person or organization.
- **Your state's 3rd party voter registration laws:** Again, you should carefully review the requirements of your state before deciding to collect completed voter registration forms.

7. BEST PRACTICES

I. Make a Good “Ask”

How you talk to a client about voter registration has an enormous impact. Asking clients specific information about their voter registration status and being persistent in encouraging them to register will make the difference in whether or not your clients decide to use their right to vote.

Whether or not your organization collects completed voter registration form, the basic structure and important components of the “ask” remain the same.

See the following chart for step-by-step instructions on how to ask clients about voter registration.

Note: The following suggestions rely on having a printed or hard copy voter registration form readily available.

Step	Best Practices
1. Make a strong transition	<p>Introduce the question:</p> <ul style="list-style-type: none"> ➤ “Another important service we offer our clients is assistance registering to vote and updating your voter registration.” <p>Emphasize the importance of voting:</p> <ul style="list-style-type: none"> ➤ “Your being a voter matters to me and [ORGANIZATION].” ➤ “Voter registration is important to [my/our] goal of [X] because [Y]...” (For more information, see the Project Vote workbook for enrollment assisters.)
2. Make “the Ask”	<ul style="list-style-type: none"> ➤ TIP: Do NOT ask if the person is ‘Registered’—it can be off-putting. ➤ Instead, ask, “Do you know if your voter information is all up-to-date?” ➤ Be persistent! <ul style="list-style-type: none"> > Ask follow-up questions like: “Have you moved recently?” or “Have you changed your name?” > Remind the client that registering takes only a few minutes. > Emphasize the importance of their vote.
3. Establish Eligibility	<ul style="list-style-type: none"> ➤ “Great! Just to check... <ol style="list-style-type: none"> 1. Are you a US citizen? 2. And you will be 18 or older before Election Day? 3. [STATE SPECIFIC] EXAMPLE: And you’re not on parole or probation for a felony conviction?
4. [If client is eligible] Have the client fill out the voter registration form, OR give the client a form (or forms) to take home.	<ul style="list-style-type: none"> ➤ Remember to ask: “Would you like me to stay with you to assist you while you fill out the form, or would you prefer to fill it out on your own in private?” ➤ Remind the person to write legibly. ➤ If the client is taking a voter registration form home, remember to make sure they know where to turn in or mail the form.
5. Review the Form	<ul style="list-style-type: none"> ➤ Is the application legible? ➤ Is all of the required information filled in? ➤ Did they sign and date the application in the right place? ➤ Is the date correct? ➤ Did they put down a phone number? (Not usually required, but very useful if election officials need to contact the person!) ➤ Did they submit additional information or documents required by your state?

2. When talking to non-citizens, remember:

- Non-citizens are not allowed to register or vote. However, once people *become* citizens they *are* allowed to register and vote.
- Many people are eligible to apply for citizenship but have not—you can encourage the client to double check their eligibility and consider applying for citizenship.
- Even if your client cannot register, she/he can help make sure eligible members of her/his family (particularly U.S. citizen teenagers who will turn 18 before the next election) and household register!

3. Talking to clients about voter registration deadlines and voting

- A client may be curious about when, if they want to vote in an upcoming election, they must register to vote. When discussing voting and elections with clients, it is important to communicate that unless the client registers on or before the close of registration for a given election, the client will not be able to vote in that election.
- For example, you can say, “If you would like to vote in the upcoming primary, the voter registration deadline is [DATE]. If you register after that date, you won’t be able to vote in the primary election.”
- You can find information about upcoming elections in your state at your state’s elections website.

4. What if the form is incomplete and the applicant has left?

- Do not write on the form! Collect and submit the form to election officials as is!

5. Be persistent!

We can’t emphasize this point enough. Many of your clients will not be aware of reasons, like a name or address change, to update their voter registration and people often momentarily hesitate to take advantage of the opportunity to fill out the application form. Asking a few follow-up questions in your “ask” can make all the difference in whether or not your clients decide to register to vote.

Please see the following worksheet to help brainstorm ways to follow-up on common client responses to being asked about voter registration.

Best Practices for Being Persistent

Use the spaces below to review and come up with some of your own ideas for how to respond to common responses clients might have to the voter registration question.

If a client says they don't need to register or update:

- Have you moved recently?
- Have you changed your name? (Marriage, divorce?)
- When was the last time you voted?

If they say don't have time or are tired of paperwork:

- Good thing filling out this form takes only a few minutes!
- If you do this here, I can save you time by turning it in for you! (This depends on your organization's activities.)
- If you fill out the form with me, I can help you with any questions!
- _____
- _____
- A final option: Give them the black voter registration form to take home and fill out another time. Just remember to let them know where to take or mail the completed form when they're done.

If they're not interested or don't care about voting:

Validate!

- "I understand—_____"
- "There are a lot of challenges out there..."
- "Sometimes things like voting are overwhelming..."
- Reiterate the person's language!

Say why *you* think voting matters and emphasize the importance of the person's vote:

- For example: "I hear you—sometimes it seems like things never change. But I remember how many people fought for my right to vote and I think we have to keep on trying."
- _____
- _____

Remember:
*this might be the
only chance this
person has to
register to vote
before the next
election.*

Be persistent!
It's worth it!

6. Time your “ask”

You should decide with your team at what point in the enrollment process you think it would work best to ask clients about voter registration. Below are a few examples:

When using the Federally-facilitated Exchange application, circle or write the best moment for your organization to ask clients about voter registration:

- With any intake paperwork that clients fill out before beginning their enrollment session.
- After receiving their eligibility determination and before moving on to enrollment.
- After a client has submitted their application, while waiting for the confirmation email.
- When you pick up clients’ applications or insurance information/choices from the printer.
- _____
- _____

See Workbook Exercise # 6, p. 9

Sample Voter Registration Ask

Navigator/Assister: “The next part of enrollment is about voter registration. Here at [ORGANIZATION], we’re committed to making sure any of our eligible clients who would like to vote have that opportunity.”

“You should know you are not required to update your voter registration information today in order to continue with enrollment, and nothing you write on a voter registration form will be kept by this organization.”

“Do you know if your voter registration information is all up-to-date?”

Client: *I’m not sure.*

“Great, well I can make sure we get you all up-to-date right now!”

I’m a little tired—I don’t think I want to right now.

“I hear you—this was a long application process. Still, this will take just a minute or two and if you fill this out with me, I can even turn it in for you and save you a trip to the election’s division/post office.”

“Just one thing—are you a US citizen?”

Yes.

“And you’re over 18?”

Yes.

EXAMPLE: “And you are not on parole or probation for a felony conviction?” [LAWS ON FELON VOTING VARY STATE BY STATE—CHECK WITH YOUR STATE VR LAWS BEFORE DISCUSSING VOTER REGISTRATION WITH CLIENTS.]

No.

“Great! OK, you can start at the top left!” [Hands the client the form and indicates where to start.]

“And one last thing—would you like me to stick around to help you go through this, or would you prefer to do it on your own in private?”

8. DEVELOPING AN EFFECTIVE VOTER REGISTRATION SYSTEM

Components of a Good System for Voter Registration

If, after reviewing your state's requirements, your organization decides to collect forms, you will have to work out a system for making sure ALL collected voter registration forms are turned in or mailed to local officials in a timely manner. You may also want to develop a good system to track how many people your organization is helping register to vote. Remember, your organization will not retain a client's personal information from a voter registration form.

A Secure Place to Store Completed Forms

Keep completed voter registration forms in a neat and tidy, secure area of the office (i.e. a specific drawer used only for voter registration in a supervisor's office). You will need to decide if each individual assister will be responsible for storing their own forms in a secure location or if all navigators will store forms in one secure and common location.

A Designated Person Responsible for Turning in or Mailing Completed Forms

You will need to decide if each assister in your organization will collect and turn in their own completed voter registration forms, or if you will designate one person to turn in forms for your office or organization. Every person who collects voter registration forms needs to know to whom they are responsible for entrusting the completed forms—be it a coworker or election official.

A Clear Time Frame for Turning in or Mailing Completed Forms

You will need to decide on a time-frame for turning in or mailing completed voter registration forms in accordance with your state's turnover deadlines, as applicable. This time-frame might be a weekly turn-in, for example, bi-weekly, or monthly, but everyone who is collecting forms must know what it is. You must also have a clear system for tracking upcoming elections and making sure collected forms are turned in before the close of voter registration before those elections.

A Clear Decision about Turning in vs. Mailing Forms

You will need to decide if it makes more sense to mail or turn in in-person voter registration forms to the appropriate office. Whoever is charged with turning in or mailing the voter registration forms should make sure each form is turned in to the appropriate election officials.

Managers and Assisters Use 'Batch Sheets' Diligently and Correctly

Project Vote recommends using 'Batch Sheets' to track form collection (you can find an example on the next page). Batch Sheets aid assisters and managers in tracking how many forms an assister collects from clients and how many forms he or she gives out. When assisters track the number of forms they collect, it is easier for them and managers to know whether they have all the forms they should when it's time to turn them in. Using Batch Sheets is also a great way for your organization to keep track of the number of voter registration forms you have collected and distributed to your clients and celebrate your success!

Even if you are not collecting completed voter registration forms, Project Vote recommends using Batch Sheets to track how many clients an organization helps to fill out a voter registration form and how many voter registration forms the organization distributes.

See Workbook Exercise # 5, p. 8

Would you like to think this through for your organization?

Project Vote provides a worksheet that organizations can use to help make decisions about key components of voter registration systems.

To obtain a copy of the "Your Voter Registration Work Sheet and Batch Sheet," contact Kate Bass at 202.210.5291 or kbass@projectvote.org, or visit <http://www.project-vote.org/health-care-ex-changes.html>.

Navigator Batch Sheet			
Name _____ Office _____ Date _____			
NOTE: Do not write any personally identifiable information, like names or addresses, of your clients on this form.			
Day of the Week	Completed	Incomplete	Distributed
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			
Sunday			
TOTAL			

Do any of the applications have issues that need to be explained? Yes _____ No _____
If yes, explain: _____

Signature of Navigator _____

To be completed by Manager

Name _____

Is the top section of this Navigator Batch Sheet complete and accurate? Yes _____ No _____
(Correct numbers if not)

Are there any issues with the VR Forms? Yes _____ No _____
How many? _____

I certify that the above information is true and accurate to the best of my knowledge:

Signature _____ Print name of signer _____

Date of submission to Election Official office _____

Total Complete _____ Total Incomplete _____

Any issues at Election Official office: _____

Additional Best Practices for Developing a Good System

Keep Your Office Organized

In taking on the responsibility of doing enrollment, you already know the importance of keeping a clean and orderly office. The same is true for voter registration, particularly because losing a completed voter registration form in a messy office may mean depriving one of your clients their right to vote.

If you Lose A Form

If you have lost a form, make sure to double-check the following places:

- Garbage cans and recycle bins (inside and behind)
- Desks and drawers (inside, behind, under)
- File cabinets (inside, behind, under)
- Copier/Scanner (inside, behind, under)
- Closets
- Employee or organization vehicles (front seat, back seat, glove box, trunk)
- Restrooms
- Common areas (lobbies, waiting rooms)

10. PROJECT VOTE CONTACT INFORMATION

Thank you for your work to expand access to the right to vote. Please don't hesitate to contact us with any questions.

**Kate Bass
Affordable Care Act Program Advocate
Project Vote
805 15th Street NW • Suite 250
Washington, DC 20005
(202) 210-5291 • kbass@projectvote.org**

**Brian Mellor
General Counsel
Project Vote
(202) 553-4317 • bmellor@projectvote.org**

**General office phone number: (202) 546-4173
Visit our website: www.projectvote.org**