

118TH CONGRESS
1ST SESSION

H. R. 1439

To amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections, to amend the National Voter Registration Act of 1993 to provide for automatic voter registration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2023

Mr. BLUMENAUER (for himself, Ms. WILLIAMS of Georgia, Ms. NORTON, Ms. SCHAKOWSKY, Mr. MOULTON, Ms. BONAMICI, Ms. CASTOR of Florida, Mr. MULLIN, Mr. POCAN, Mr. CASE, Mr. SCHIFF, Mr. CARTER of Louisiana, Mr. TAKANO, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Accountability, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections, to amend the National Voter Registration Act of 1993 to provide for automatic voter registration, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Vote at Home Act of
3 2023”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) An inequity of voting rights exists in the
7 United States because voters in some States have
8 the universal right to vote by mail while voters in
9 other States do not.

10 (2) Many voters often have work, family, or
11 other commitments that make getting to polls and
12 waiting in line on the date of an election difficult or
13 impossible. Many citizens with disabilities are phys-
14 ically unable to vote due to long lines, inadequate
15 parking, no curb cuts, steep ramps, and large
16 crowds. In 2012, 30 percent of voters with disabil-
17 ities had difficulty voting, and in 2016, nearly two-
18 thirds of the 137 polling places inspected on Elec-
19 tion Day had at least one impediment to people with
20 disabilities. However, with expanded access to mail-
21 in ballots, people with disabilities made large gains
22 in 2020 with a historic voter turnout surge.

23 (3) In 2020, despite a global pandemic, the
24 general election saw record high turnout as a result
25 of increased vote by mail options, which allowed vot-
26 ers to cast a ballot and stay safe at the same time.

1 (4) 34 States and the District of Columbia cur-
2 rently allow universal absentee voting (also known as
3 “no-excuse” absentee voting), which permits any
4 voter to request a mail-in ballot without providing a
5 reason for the request. No State which has imple-
6 mented no-excuse absentee voting has repealed it.

7 (5) 5 States currently hold elections entirely by
8 mail. 8 States proactively send all registered voters
9 a ballot to be submitted by mail or dropped off at
10 a designated location. At least 22 States currently
11 allow some elections to be conducted by mail, espe-
12 cially in large and rural jurisdictions where voting by
13 mail is especially convenient. Polling stations in
14 rural jurisdictions tend to have higher costs per
15 voter, smaller staffs, and limited resources. Trans-
16 portation is often a crucial barrier for rural voters.

17 (6) In 2020, in order to provide greater accessi-
18 bility and to protect the public health, 30 States
19 adopted or changed their laws for the general elec-
20 tion to allow voters to cast their ballots from home.
21 These changes included removing strict excuse re-
22 quirements or allowing COVID–19 concerns to be a
23 valid excuse to vote absentee, allowing ballot drop
24 boxes, offering prepaid postage on election mail and
25 proactively sending all active registered voters appli-

1 cations to request an absentee ballot, with some even
2 skipping that step and sending the actual ballots.

3 (7) Voting by mail gives voters more time to
4 consider their choices, which is especially important
5 as many ballots contain greater numbers of ques-
6 tions about complex issues than in the past due to
7 the expanded use of the initiative and referendum
8 process in many States.

9 (8) Voting by mail is cost effective. After the
10 State of Oregon adopted vote by mail for all voters
11 in 1996, the cost to administer an election in the
12 State dropped by nearly 30 percent over the next
13 few elections, from \$3.07 per voter to \$2.21 per
14 voter. After Colorado implemented all-mail balloting
15 in 2013, voting administration costs decreased by an
16 average of 40 percent. The cost of conducting vote-
17 by-mail elections is generally one-third to one-half
18 less than conducting polling place elections. Voting
19 by mail also saves a substantial amount by getting
20 rid of the temporary labor costs of hiring poll work-
21 ers. In addition to that cost, many jurisdictions have
22 been facing difficulty in obtaining sufficient numbers
23 of poll workers.

24 (9) Allowing all voters the option to vote by
25 mail can reduce waiting times for those voters who

1 choose to vote at the polls. In 2016, voters in Ari-
2 zona reported waiting in line from 1 to 5 hours to
3 vote; in New York, voters reported that stations ran
4 out of ballots and did not have staff during all of
5 the hours scheduled for voting.

6 (10) Voting by mail is preferable to many vot-
7 ers as an alternative to going to the polls. In 2020,
8 43.2 percent of ballots in the United States were
9 cast by mail, up from 10 percent in 2000. Voting by
10 mail has become increasingly popular with voters
11 who want to be certain that they are able to vote no
12 matter what comes up on Election Day, as it re-
13 duces the physical obstacles and eases the time con-
14 straints connected with the act of voting.

15 (11) Despite attempts to claim that voting by
16 mail is susceptible to fraud, it is not. Strategies such
17 as the tracking systems for ballots and Postal Serv-
18 ice cooperation in preventing ballots from being de-
19 livered to names not recognized as receiving mail at
20 an address nearly eliminate the potential for fraud
21 in vote by mail elections. Evidence of undue influ-
22 ence or voter coercion after vote-by-mail implementa-
23 tion in Oregon has been nonexistent to minimal.

24 (12) Many of the reasons which voters in many
25 States are required to provide in order to vote by

1 mail require the revelation of personal information
2 about health, travel plans, or religious activities,
3 which violate voters' privacy while doing nothing to
4 prevent voter fraud.

5 (13) State laws which require voters to obtain
6 a notary signature to vote by mail only add cost and
7 inconvenience to voters without increasing security.

8 (14) Many voters choose to cast ballots early
9 when they have the option (over 50 percent in Ari-
10 zona, Arkansas, California, Colorado, Florida, Geor-
11 gia, Hawaii, Montana, Nevada, New Mexico, North
12 Carolina, Oregon, Tennessee, Texas, Utah, and
13 Washington). Approximately 70 percent of voters in
14 the 2020 election cast their ballot before Election
15 Day. In Oregon, 7 years after vote-by-mail election
16 implementation, over 80 percent of voters favored
17 the vote-by-mail system.

18 (15) Vote-by-mail typically increases turnout in
19 all elections, but can be particularly effective in in-
20 creasing voter participation in special elections and
21 primary elections. Oregon, Washington, and Colo-
22 rado, 3 of the 5 States with entirely vote by mail
23 systems, continue to have consistently high voter
24 turnout rates. In 2020, the Presidential election
25 turnout was about 7 percentage points higher than

1 in 2016, and turnout rates increased in every State
2 compared with 2016. In the 10 States where it rose
3 the most, 7 conducted their vote entirely or mostly
4 by mail, with 6 of those States having recently
5 adopted all-mail voting, either permanently (Utah
6 and Hawaii) or for the 2020 elections only.

7 (16) A crucial component of a modern voting
8 system is making it easy, affordable, and accessible
9 to register to vote. Twenty-two states and the Dis-
10 trict of Columbia have enacted automatic voter reg-
11 istration policies, with Oregon and California becom-
12 ing the first to automatically register their citizens
13 to vote when they apply for a driver's license. Auto-
14 matic, permanent voter registration has the potential
15 to increase participation, protect election integrity,
16 and reduce registration costs.

17 **SEC. 3. PROMOTING ABILITY OF VOTERS TO VOTE BY MAIL**
18 **IN FEDERAL ELECTIONS.**

19 (a) VOTING BY MAIL IN FEDERAL ELECTIONS.—

20 (1) IN GENERAL.—Subtitle A of title III of the
21 Help America Vote Act of 2002 (52 U.S.C. 21081
22 et seq.) is amended by inserting after section 303
23 the following new section:

1 **“SEC. 303A. PROMOTING ABILITY OF VOTERS TO VOTE BY**
2 **MAIL.**

3 “(a) IN GENERAL.—If an individual in a State is eli-
4 gible to cast a vote in an election for Federal office, the
5 State may not impose any additional conditions or require-
6 ments on the eligibility of the individual to cast the vote
7 in such election by mail, except to the extent that the
8 State imposes a deadline for requesting the ballot and re-
9 lated voting materials from the appropriate State or local
10 election official and for returning the ballot to the appro-
11 priate State or local election official.

12 “(b) PROVISION OF BALLOT MATERIALS.—Not later
13 than 2 weeks before the date of any election for Federal
14 office, each State shall mail ballots to individuals who are
15 registered to vote in such election.

16 “(c) ACCESSIBILITY FOR INDIVIDUALS WITH DIS-
17 ABILITIES.—All ballots provided under this section shall
18 be accessible to individuals with disabilities in a manner
19 that provides the same opportunity for access and partici-
20 pation (including for privacy and independence) as for
21 other voters.

22 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion shall be construed to affect the authority of States
24 to conduct elections for Federal office through the use of
25 polling places at which individuals cast ballots.

1 “(e) EFFECTIVE DATE.—A State shall be required
2 to comply with the requirements of this section with re-
3 spect to elections for Federal office held in years beginning
4 with 2024.”.

5 (2) CONFORMING AMENDMENT RELATING TO
6 ENFORCEMENT.—Section 401 of such Act (52
7 U.S.C. 21111) is amended by striking “and 303”
8 and inserting “303, and 303A”.

9 (3) CLERICAL AMENDMENT.—The table of con-
10 tents for such Act is amended by inserting after the
11 item relating to section 303 the following new item:

“Sec. 303A. Promoting ability of voters to vote by mail.”.

12 (b) FREE POSTAGE FOR VOTING BY MAIL.—

13 (1) IN GENERAL.—Chapter 34 of title 39,
14 United States Code, is amended by adding at the
15 end the following:

16 **“§ 3407. Ballots provided for voting in Federal elec-**
17 **tions**

18 “Blank ballots mailed pursuant to section 303A(b)
19 of the Help America Vote Act of 2002 which are mailed
20 by a State or local election official (individually or in bulk)
21 to a voter, and voted ballots which are mailed by a voter
22 to an election official, shall be carried expeditiously and
23 free of postage.”.

24 (2) TECHNICAL AND CONFORMING AMEND-
25 MENTS.—

1 (A) TABLE OF SECTIONS.—The table of
 2 sections for chapter 34 of title 39, United
 3 States Code, is amended by adding at the end
 4 the following:

“3407. Ballots provided for voting in Federal elections.”.

5 (B) AUTHORIZATION OF APPROPRIA-
 6 TIONS.—Section 2401(e) of title 39, United
 7 States Code, is amended by striking “3403
 8 through 3406” and inserting “3403 through
 9 3407”.

10 **SEC. 4. AUTOMATIC VOTER REGISTRATION THROUGH**
 11 **STATE MOTOR VEHICLE AUTHORITIES.**

12 (a) AUTOMATIC VOTER REGISTRATION.—Section 5
 13 of the National Voter Registration Act of 1993 (52 U.S.C.
 14 20504) is amended to read as follows:

15 **“SEC. 5. VOTER REGISTRATION THROUGH MOTOR VEHICLE**
 16 **AUTHORITY.**

17 “(a) SIMULTANEOUS APPLICATION FOR VOTER REG-
 18 ISTRATION AND APPLICATION FOR MOTOR VEHICLE
 19 DRIVER’S LICENSE.—

20 “(1) TRANSMISSION OF INFORMATION TO ELEC-
 21 TION OFFICIALS.—Each State’s motor vehicle au-
 22 thority, upon receiving any of the identifying infor-
 23 mation described in paragraph (2) with respect to
 24 any applicable individual, shall securely transmit the

1 identifying information to the appropriate State elec-
2 tion official.

3 “(2) IDENTIFYING INFORMATION DESCRIBED.—

4 The identifying information described in this para-
5 graph with respect to any individual is as follows:

6 “(A) The individual’s legal name.

7 “(B) The individual’s age.

8 “(C) The individual’s residence.

9 “(D) The individual’s citizenship status.

10 “(E) The individual’s electronic signature.

11 “(b) DUTIES OF OFFICIALS RECEIVING INFORMA-
12 TION.—

13 “(1) IN GENERAL.—Upon receiving the identi-
14 fying information with respect to an applicable indi-
15 vidual under subsection (a), the appropriate State
16 election official shall determine—

17 “(A) whether such individual is eligible to
18 vote in an election for Federal office; and

19 “(B) whether such individual is currently
20 registered to vote in elections for Federal office
21 at the address provided in such identifying in-
22 formation.

23 “(2) NOTIFICATION TO INDIVIDUALS.—

24 “(A) ELIGIBLE UNREGISTERED INDIVID-
25 UALS.—In the case of an applicable individual

1 who is eligible to vote in an election for Federal
2 office and who is not currently registered to
3 vote, the appropriate State election official shall
4 issue a notification to the individual con-
5 taining—

6 “(i) a statement that, unless the indi-
7 vidual notifies the election official prior to
8 the expiration of the 21-calendar day pe-
9 riod which begins on the date the official
10 issued the notification that the individual
11 declines to be registered to vote in elections
12 for Federal office held in the State, the in-
13 dividual’s records and signature will con-
14 stitute a completed registration for the in-
15 dividual; and

16 “(ii) a description of the process by
17 which the individual may decline to be reg-
18 istered to vote in elections for Federal of-
19 fice in the State.

20 “(B) ELIGIBLE INDIVIDUALS REGISTERED
21 AT A DIFFERENT ADDRESS.—In the case of an
22 applicable individual who is eligible to vote in
23 an election for Federal office and who is reg-
24 istered to vote in such election at a different
25 address than the address provided in the identi-

1 fying information, the appropriate State elec-
2 tion official shall issue a notification to the indi-
3 vidual containing—

4 “(i) a statement that, unless the indi-
5 vidual notifies the election official prior to
6 the expiration of the 21-calendar day pe-
7 riod which begins on the date the official
8 issued the notification that the address
9 provided in the identifying information
10 should not be used for voter registration
11 purposes, the address provided in the iden-
12 tifying information shall be used as the in-
13 dividual’s address for voter registration
14 purposes; and

15 “(ii) a description of the process by
16 which the individual may decline a change
17 of address for voter registration purposes.

18 “(c) AUTOMATIC REGISTRATION OF ELIGIBLE INDI-
19 VIDUALS; AUTOMATIC CHANGE OF ADDRESS.—

20 “(1) REGISTRATION.—Upon the expiration of
21 the 21-calendar day period which begins on the date
22 the appropriate State election official issues a notifi-
23 cation to an individual under subsection (b)(2)(A),
24 the official shall ensure that the individual is reg-

1 istered to vote in elections for Federal office held in
2 the State unless—

3 “(A) the official later determines that the
4 individual does not meet the eligibility require-
5 ments for registering to vote in such elections;
6 or

7 “(B) prior to the expiration of such 21-cal-
8 endar day period, the individual notifies the of-
9 ficial that the individual declines to be reg-
10 istered to vote in such elections.

11 “(2) CHANGE OF ADDRESS.—Upon the expira-
12 tion of the 21-calendar day period which begins on
13 the date the appropriate State election official issues
14 a notification to an individual under subsection
15 (b)(2)(B), the official shall ensure that the indi-
16 vidual is registered to vote in elections for Federal
17 office at the address provided in the identifying in-
18 formation unless—

19 “(A) the official later determines that the
20 individual does not meet the eligibility require-
21 ments for registering to vote in such elections;
22 or

23 “(B) prior to the expiration of such 21-cal-
24 endar day period, the individual notifies the of-

1 ficial that the individual declines a change of
2 address for voter registration purposes.

3 “(d) APPLICABLE INDIVIDUAL.—For purposes of this
4 section, the term ‘applicable individual’ means any indi-
5 vidual who seeks assistance from, receives benefits from,
6 or receives service or assistance from a State motor vehicle
7 authority that issues motor vehicle driver’s licenses.”.

8 (b) CONFORMING AMENDMENT RELATING TO TIM-
9 ING OF REGISTRATION PRIOR TO ELECTIONS.—Section
10 8(a)(1)(A) of such Act (52 U.S.C. 20507(a)(1)(A)) is
11 amended to read as follows:

12 “(A) in the case of registration through a
13 motor vehicle authority under section 5, if the
14 identifying information with respect to the indi-
15 vidual is transmitted by the authority to the ap-
16 propriate State election official under section
17 5(a)(1) not later than the lesser of 30 days, or
18 the period provided by State law, before the
19 date of the election;”.

20 (c) OTHER CONFORMING AMENDMENT.—Section
21 4(a)(1) of such Act (52 U.S.C. 20503(a)(1)) is amended
22 to read as follows:

23 “(1) through the State motor vehicle authority
24 pursuant to section 5;”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect upon the expiration of the
3 180-day period which begins on the date of the enactment
4 of this Act.

○