

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

OFFICE OF THE ASSISTANT SECRETARY FOR
PUBLIC AND INDIAN HOUSING

[Docket No. FR-3968-N-01]

Notice: Voter Registration

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice

SUMMARY: This notice provides voter registration guidance to public housing agencies, Indian housing authorities, and Resident Management Corporations.

EFFECTIVE DATE: [INSERT DATE OF PUBLICATION]

FOR FURTHER INFORMATION CONTACT: Office of the Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, S.W., Room 4100, Washington, D.C. 20410. Telephone number (202) 708-0950, TDD (202) 708-0850. (These numbers are not toll-free.)

SUPPLEMENTARY INFORMATION:

I. PURPOSE: The purpose of this Notice is to provide guidance on efforts by Public Housing Agencies ("PHAs") to promote voter registration consistent with provisions of the National Voter Registration Act, 42 U.S.C. § 1973gg, in connection with the operation of the Public and Indian Housing ("PIH") including the Section 8 voucher and certificate programs.

II. POLICY: It is the policy of HUD that all participants in public housing programs, including Section 8 programs, be afforded the opportunity to register to vote. Opportunities to provide voter registration information to PIH and Section 8 program participants can occur during the normal application process, the annual recertification process, or when tenants come into the management office for purposes such as paying rent or requesting maintenance service.

III. BACKGROUND: In the National Voter Registration Act, 42 U.S.C. 1973gg, Congress found that the right of citizens to vote is a fundamental right. Further, Congress found that it is the duty of the Federal, State, and local governments to promote the exercise of that right. The Department of Housing and Urban Development recognizes its responsibility to help promote voter participation in a non-partisan manner. Accordingly, the Department is issuing this notice to provide guidance to Public and Indian Housing Authorities on promoting the free exercise of this fundamental right.

IV. PERMISSIBLE VOTER REGISTRATION ACTIVITIES BY PHAs: At each PHA, HUD's policy that all participants in PIH and Section 8 programs be afforded the opportunity to vote may be implemented in the following ways:


- a. PHAs are encouraged to include voter-registration applications in their program applications and recertification materials.
- b. PHAs are encouraged to apply to States to operate as a voter registration agency under the National Voter Registration Act.
- c. PHAs are encouraged to solicit and permit approved non-profit, non-partisan organizations that are voter registration agencies to provide information and application forms to their tenants and program participants on the PHAs' premises.
- d. PHAs can provide mail-in voter-registration applications to their residents.
- e. PHAs can also use non-partisan posters to inform residents of their right to register to vote and to inform them of places, either on the PHA premises or in the local area, where they may go to register to vote. PHAs may accept the completed voter registration application forms and transmit these forms to the appropriate State election official. Completed forms should be transmitted to the appropriate State election official on a regular basis.
- f. PHAs are encouraged to provide assistance to tenants seeking to understand the voter registration materials or to fill out voter registration forms.
- g. PHAs may use Section 8 administrative fees and public housing operating subsidies to meet the costs for permissible voter registration activities.

V. IMPERMISSIBLE VOTER REGISTRATION ACTIVITIES BY PHAs: Since the right to vote should be exercised freely and voluntarily, HUD's policy of affording participants in PIH and Section 8 programs the opportunity to vote may not involve any act that would:

- a. intimidate the participant into voting or registering to vote, or
- b. intimidate the participant into voting in a way or registering under a party that is not their choice, or
- b. suggest that benefits are in any way tied to a participant's voting activity, or

c. give the appearance that the processes of voter registration or voting are not voluntary processes.

Date: FEB 27 1996


Kevin Emanuel Marchman,
Deputy Assistant Secretary
for Distressed and
Troubled Housing Recovery