# National Voter Registration Act (NVRA) Agency Manual

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**2024**

**SECRETARY OF STATE**

***Rev. 02/24***

# Table of Contents

**Getting Started……4**

**Covered Agencies……5**

**Roles and Responsibilities……5**

**NVRA Requirements……7**

**Other Important Information……11**

**Tips for Completing Voter Registration Forms……12**

**Appendix: Electronic Reports/Forms……14**

**FAQ: Voting in Oregon……17**

**Forms……18**

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Secretary of State Elections Website
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*County Elections office addresses to mail voter registration cards*

**https://sos.oregon.gov/elections/Pages/countyofficials.aspx**

File your NVRA reports:
**https://sos.oregon.gov/nvra**

# Getting Started

This manual instructs National Voter Registration Act (NVRA) sites how to comply with the law. NVRA is a federal law passed in 1993. The law requires state agencies providing public assistance or assistance to people with disabilities to incorporate voter registration into their core services.

While some clients may already be registered, it is important to continue to provide voter registration in compliance with NVRA. Under Oregon's vote-by-mail system, elections officials require up-to-date address information to ensure that ballots are mailed to the correct addresses.

# Icons Used in this Manual

**alert icon**

indicates alert; warning; attention needed

**deadline icon**

indicates a deadline

**form icon**

indicates a reference to a form

**info icon**

indicates additional information

**search icon**

indicates information located elsewhere

## Policy Guidance

The U.S. Department of Justice (USDOJ) provides guidance on how states must implement NVRA. Recent litigation clarified a number of NVRA's provisions. Changes to the NVRA manual reflect the most current understanding of the law.

Failure to comply may result in USDOJ audits or litigation.

NVRA has provisions giving any citizen the right to sue an agency for not offering them the opportunity to register to vote.

# Covered Agencies

NVRA requires any agency that provides public assistance or administers state-funded services for people with disabilities to provide voter registration services as described in this manual. The Secretary of State retains the authority to designate any state agency as a voter registration agency. Covered agencies include:

- Department of Human Services
- Oregon Health Authority
- Commission for the Blind
- Oregon University System

NVRA also applies to the Division of Motor Vehicles and to Armed Forces recruitment offices operated by the U.S. Department of Defense, but this manual does not discuss those agencies, since they use different procedures than the ones described here.

Local and federal governmental entities may opt in to NVRA. Additionally, contractors, who act on behalf of a NVRA agency and are subject to the control and consent of the agency, must also follow NVRA.

# Roles and Responsibilities

Designated voter registration agencies are responsible for implementing NVRA.
In addition, your agency must choose a NVRA Agency Coordinator for the agency and Site Coordinators for each field office. This network allows us to communicate reminders, deadlines and changes in policy and procedure. Having an up-to-date NVRA Site Coordinator list is vital.

### Oregon Secretary of State is responsible for:

- Serving as Oregon's chief elections office (ORS 246.110)
- Maintaining uniformity in the election process (ORS 246.110)
- Submitting information to the federal Election Administration and Voting Survey, used to evaluate NVRA's effectiveness.
- Educating NVRA agencies about NVRA, including new developments.
- Collecting data about the number of registration cards sent to county elections officials.
- Work to make compliance with NVRA as easy as possible for covered agencies.
- Forwarding information about site coordinator changes (SEL 504c) to the appropriate agency coordinator.

**165-005-0065(2)** gives the Secretary of State authority over how NVRA agencies report to it:

"At least monthly, on the form or in the manner provided by the Secretary of State, each agency site shall report to the Secretary of State the number of voter registration cards sent to the county elections office since the last report."

## NVRA Agency Coordinators are responsible for:

- Maintaining extensive knowledge of NVRA and relevant procedures
- Participating in quarterly check-in meetings with colleagues and the Secretary of State
- Resolving questions about NVRA compliance with division leadership and the Secretary of State
- Maintaining an accurate and up-to-date list of NVRA Site Coordinators
- Monitoring and communicating any changes in statute, rule or policy to NVRA Site Coordinators
- Notifying Secretary of State when a new site opens, closes or changes name

## NVRA Site Coordinators are responsible for:

- Maintaining knowledge of Oregon NVRA procedures
- Maintaining knowledge of agency-specific procedures: Many agencies have additional written guidelines. Please check with your agency coordinator.
- Clarifying NVRA provisions for colleagues at your field office
- Monitoring NVRA activity
- Communicating any changes in statute, rule or policy to colleagues
- Ordering NVRA supplies from OHA/DHS Publications and Design
- Mailing completed date stamped voter registration applications to county elections offices **no later than the 5th day after** receiving the card (247.012 2(a))
- Using the online SEL 504 at least monthly to report to the Secretary of State the number of voter registration applications mailed. Reporting zero if none were mailed.
- Reporting issues to the NVRA Agency Coordinator
- Notifying the Secretary of State of any changes to site coordinator or location using the online SEL 504c.

If there is a new NVRA Site Coordinator, electronically submit an SEL 504c. Be sure to forward a copy to your NVRA Agency Coordinator. If you are uncertain who your NVRA Agency Coordinator is, please contact the Secretary of State at: elec-reports.sos@sos.oregon.gov.

# NVRA Requirements

## 1 Register clients to vote

State agencies must provide clients the opportunity to register to vote when they:

- apply for agency's assistance or services;
- seek renewal or recertification of their benefits
- submit change of address information

According to NVRA, you must ask the same question of every person when providing voter registration. You must ask:

***"If you are not registered to vote where you live now, would you like to apply to register to vote here today?"***

These requirements are **not** limited to situations where a client physically appears in your office. When clients transact business online, through the mail or over the phone, you must provide your client the opportunity to register or update voter information. The U.S. Department of Justice, who is charged with enforcing NVRA compliance, writes the following in a FAQ:

**Do the voter registration requirements of Section 7 of the NVRA apply to all application, renewal, recertification and change of address transactions with designated offices?**

Yes. The NVRA requires that voter registration opportunities be provided with respect to all new applications, renewal, recertification and changes of address transactions regarding service and assistance with Section 7 offices. Many Section 7 designated agencies/offices routinely provide services/assistance such as application for, or renewal of, services or change-of-address notification through the internet, by telephone, or by mail. States should ensure the availability of voter-registration opportunities to individuals using such remote service/assistance opportunities from designated agencies. Thus, for all such internet transactions, States should advise of the opportunity to register to vote and should provide some online capability to download or request a voter-registration form. For phone transactions, designated-agency personnel should advise applicants of the opportunity to register to vote and to request a voter registration form. Materials sent by mail to individuals completing phone or internet transactions (such as statements confirming a phone transaction, or renewal or change-of-address forms) should contain a voter-registration form.

For more on this, please see the full list of questions and answers about NVRA from the U.S. Department of Justice at: http://www.justice.gov/crt/national-voter-registration-act-1993-nvra

DHS and OHA must order forms through the Field Branch Ordering System (FBOS). If you do not have access to FBOS please order using the Supplemental - Forms Order Sheet DHS|OHA 8100.

NVRA Site Coordinators can order SEL 503 forms voter registration forms with a tear-away declination from the Publications and Design Section of DHS and OHA Shared Services in either English or Spanish. If you need any assistance with an order, you can contact the Distribution and Storage Section at (503) 373-1342 for assistance.

# 2 Declinations

Declination forms serve as your receipt of transaction. Every time you provide someone the opportunity to register to vote, you must provide them with a declination form.

They can answer the question, "If you are not registered to vote where you live now, would you like to register here today?" by checking "yes," "no" or "I am already registered."

> Checking "yes" means the person wants to register (fill out the SEL 503).
>
> Checking "no" means the person does not want to register (fill out the tear away on the SEL 503 or a SEL 503d form).

Some clients will be unable to check the boxes themselves, especially at agencies whose function is to serve people with disabilities. Your agency should have specific procedures for how to handle such a situation and record the interaction. Contact your agency coordinator or consult your agency's procedures to find out what they are.

As part of the invitation to register clients to vote, you must also provide the statement:

> "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency."

On form SEL 503d, the declination checkboxes indicate whether the client would like to be registered to vote, declines to be registered to vote, or if they are already registered to vote. Failure to check one of the boxes presumes that the client has refused to receive voting registration assistance at this time, but it should *not* be considered a refusal of the application itself. The declination should be treated the same as a state provided declination form (SEL 503) and must be retained for **24 months**.

**If a person does not check a box, a voter registration form must still be offered.** A recent federal court decision (*Valdez v. Squier*) ruled that agencies must provide a registration card unless a client declines in writing and that refusing to check a box does not count as "in writing." The ruling found text on the card that reads "***If you do not check a box, you will be considered to have decided not to register to vote at this time***" is applicable to a client *during the office visit,* but it doesn't mean that the client is declining to receive a registration card. From the ruling:

If an applicant is passive, i.e., does not check either the "YES" or "NO" box on the declination form and thereby indicate his or her intent in writing, HSD [New Mexico Human Services Department] must, in accordance with the mandate of subsection (A) [of part of NVRA], still provide him or her with a voter registration form, but is relieved from providing the applicant with assistance in completing that form. If you have any questions about this, please contact the Elections Division.

Every declination must also be signed and dated. Signature and date may be electronically captured. An electronic signature is an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Declination forms must be retained for 24 months.

Declinations are public records and may be audited by the USDOJ to determine a state's NVRA compliance.

## 3 Review

You must provide the same amount of assistance completing voter registration applications as you would any of your own forms.

Review them for legibility, accuracy and completeness before forwarding them to your Site Coordinator.

| A Completed Voter Registration Must Include: | |
|---|---|
| **Qualifications** | Be a US citizen<br>Be at least 16 years-old |
| **Personal Information** | Name<br>Residence address<br>Date of Birth<br>Mailing address (if different from residence address) |
| **Driver License** | Oregon Driver's License, permit or ID number<br>If a client doesn't have a valid Oregon ID from the DMV, provide the last four digits of SSN |
| **Political Party** | May choose one |
| **Signature** | Applications without signatures will be rejected. |

Questions about completing voter registration forms should be directed to your NVRA Site Coordinator or your county elections office. Answers to frequently asked questions are included in the back of this manual.

## 4 Date Stamp

You must date stamp each paper voter registration form before you mail it to the county elections office. Please stamp each form at the top, to the right of the bar code with the date you received it from the client.

SEL 500 rev 12/23

**qualifications**

Are you a citizen of the United States of America? ☐ yes ☐ no

Are you at least 16 years of age? ☐ yes ☐ no

***If you mark no in response to either of these questions, do not complete this form.***

**personal information** ***required information**

last name* first* middle

Oregon residence address, city and zip code (include apt. or space number)*

# 5 Mailing Voter Registration Forms

The NVRA Site Coordinator must mail voter registration forms to the county elections office within five calendar days of receiving and date stamping the form.

Forms must be mailed in the special NVRA agency envelopes (SEL 515 and SEL 516). These envelopes can be ordered from DHS/OHA Field Branch Ordering System (FBOS) or the DHS/OHA form DHS8100 order sheet. You can also call 503-373-1342 for NVRA supplies. Mailing forms in these envelopes is important because it tells elections officials that the voter registration form originated from a NVRA agency while protecting client privacy about the specific agency. Some envelopes have a space to write your site's NVRA ID number on the back flap. If your envelopes do not have this space, please write your NVRA ID number on the back flap anyway. This will help us contact you if there are issues with the registrations.

You must mail cards to county elections officials **no later than the 5th day of receiving them**. Holding onto voter registration forms beyond five calendar days may result in fines. Return completed forms to a county elections office as soon as possible or at the end of every business week. ORS 247.012(2)(a)

# 6 Monthly Voter Registration Reports

NVRA Site Coordinators must submit reports to the Secretary of State reporting the number of voter registration forms the site mailed to the county elections office. These reports must be filed at least monthly and are due by the 15th of the following month. If no cards were mailed you must report zero.

**Report using the online form SEL 504, located on the Secretary of State website at:**

**https://sos.oregon.gov/nvra**

Always include your NVRA Agency ID number. The Secretary of State can provide you with that number and put you in touch with your agency coordinator (call 503-986-1518). See p. 14 for more information on reporting.

If your agency requires you to report weekly, you may do so. However, for weeks that include two months, please submit two reports so that Secretary of State can accurately record numbers by month. See p. 15 for further explanation.

# Other Important Information

## Enforcement

While the USDOJ Civil Rights Division has jurisdiction to enforce NVRA, Oregonians also have a private right of action and may request public records or declination forms in order to pursue litigation. Third-party advocacy groups have litigated NVRA compliance in other states. This is why it is important to **retain declinations on site for 24 months**: they provide proof that you offered clients the opportunity to register.

## Assistance

You must treat voter registration like any other process or benefit application. You are required by federal law to provide the same amount of assistance registering clients to vote as you provide to fill out other forms.

## Confidentiality

NVRA and administrative rules require covered agencies to protect the confidentiality of a client's decision to register.

- Do not stamp registration cards with a stamp that includes information about your site. Only stamp them with the date, as described on pg. 9.
- Always send registration cards to county officials in special agency envelopes (SEL 515 and SEL 516). Do not use your agency's envelopes, as this could identify where the client registered.

## Political Influence

Pursuant to ORS 247.208(3), public officials shall not influence or attempt to influence clients' political party preference or vote in any particular manner. You should not display or wear anything that supports or opposes political parties, candidates or ballot measures. Do not allow a client's decision about registration or party affiliation to change the amount of assistance you offer that client.

## Incomplete Forms

Although public officials are responsible for ensuring voter registration forms are complete, accidents happen. If any of the required information is left blank, the application must still be turned in within five calendar days. County elections officials will contact the voter and collect any missing information.

# Tips for Completing Registration Forms

Below are answers to common questions about registering to vote in Oregon.

## Eligibility

Do not try to determine a client's eligibility. That is elections officials' responsibility; however, do not provide voter registration opportunities to people who have indicated that they are not citizens.

## Voter Registration Deadlines

Oregon's Constitution requires voters to be registered no later than "the 21st day immediately preceding the election" in order to vote in that election. Please keep these deadlines in mind as you process forms and forward applications to county elections officials. If you have cards for more than one county you should send the cards directly to the proper county. Remember, always date stamp the voter registration card.

### 2024

| Election | Registration Deadline | Election Day |
|---|---|---|
| March Election | February 20, 2024 | March 12, 2024 |
| May Election | April 30, 2024 | May 21, 2024 |
| August Election | August 6, 2024 | August 27, 2024 |
| November Election | October 15, 2024 | November 5, 2024 |

Also note that voters may continuously update their addresses until 8PM on Election Day; however, Oregonians who register to vote for the first time after 21 days before an election will be unable to vote in that election.

## Political Party Choice

In order to vote for candidates for partisan offices in primary elections, a voter must be affiliated with that political party at least 21 days before the primary election. Political parties may also opt to allow unaffiliated voters to join in their primary.

If clients ask for more information on political parties, it is best to refer them to the political parties directly and allow the parties to speak for themselves. Let clients know that they have the option to register as an unaffiliated voter and update their information later at oregonvotes.gov.

## Felony Convictions

Oregonians with felony convictions have their voting rights automatically restored upon release from custody. If a client doubts that this is true, you are welcome to have them contact the Elections Division to confirm it.

## Homeless Voters

A homeless client may register to vote. On the voter registration form they must give an identifiable description of his or her physical location for their Oregon residence address. This address does not have to be a standard mailing address, but the client *does* need to provide an address in the mailing address field where the county can deliver their ballot. A homeless client may also list their county elections office as their mailing address and pick up their ballots there.

## Safety Concerns

If a person has safety concerns, they can still register and prevent registration information from becoming public by filling out an exemption form, SEL 550**.** All decisions about making voter information private takes place at the county level.

## Signature Stamp

A person with a disability who is unable to sign the voter registration form may use a signature stamp or other indicator of the person's signature. To exercise this option a person must complete an SEL 540 in order to attest that they are unable to sign due to a disability. Power of attorney may *not* be used for voter registration purposes.

## Competence

Under Oregon's Constitution, mental competency is not a prerequisite to vote. Only a court order can interfere with the right to vote. If you work with people with cognitive or developmental disabilities, assume nothing prevents them from voting. You must provide all clients the opportunity to register.

## Jury Duty

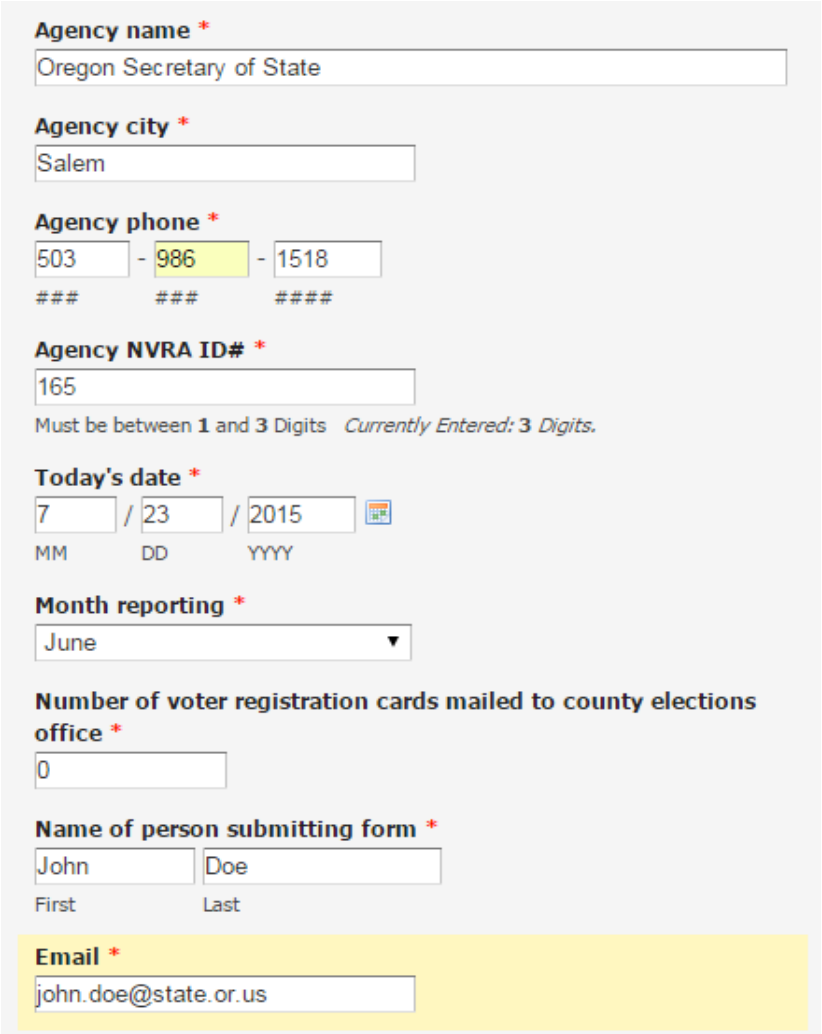
The State Judiciary Department uses all driver and state ID information in addition to voter registration to compile the master jury list. If your client already has an Oregon driver's license or state ID, they may already be included in the master jury list.

# Appendix: Electronic Reports/Forms

## Agency Voter Registration Reporting (Form SEL 504)

Site coordinators use a web form to report voter registration numbers monthly. You can access the form at http://sos.oregon.gov/nvra.

Here is an example of a completed form:




After entering all the information, hit the **Submit** button.

You will receive a copy of the report at the email you provided. To retain a copy for your records you can save or print the email. This also allows you to send a copy of your report to other people by forwarding the email you received.

If the person submitting the report is not the site coordinator in the Secretary of State's database, and is reporting on behalf of the site coordinator, provide the first and last name of the site coordinator and the reason for reporting on their behalf in the additional message field.

## Weekly Reporting

If your agency requires you to submit the SEL 504 weekly, please use the following procedure.

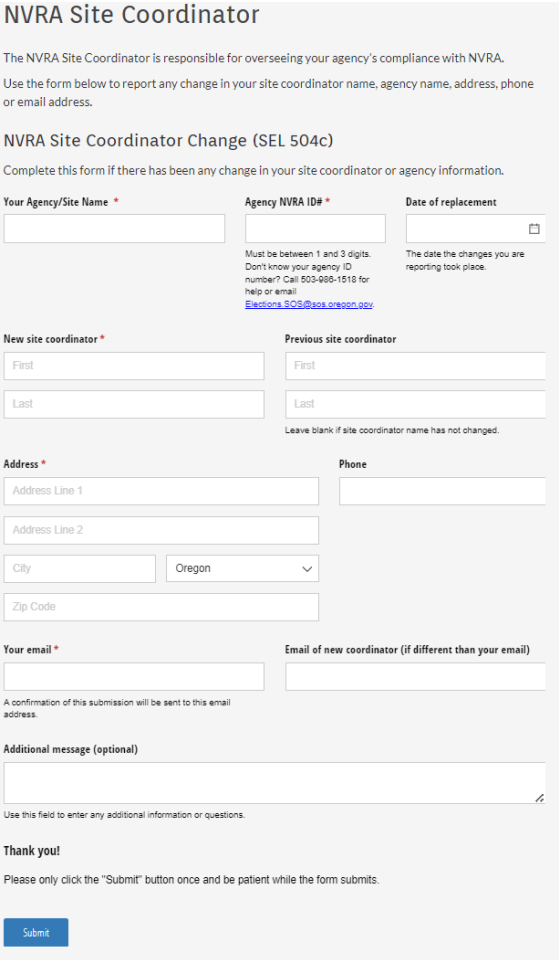
In the **Month reporting** field put the month in which all the registrations occurred. This means you will submit multiple reports with the same month, but Secretary of State will be able to tell the reports are not duplicates because the **Today's date** field will be different in each report.

If the month changes during a week, you will need to submit two reports that week. For example, let's say you were submitting for the week of April 28-May 3, 2024. If you submitted one report for that week, the Secretary of State would not know which registrations to count for March and which to count for April. So, you would need to submit one report for the registrations from April 28-30, and another one for May 1-3. It's fine to submit both reports at the same time, just be sure the **Month reporting** field accurately reflects the month the registrations occurred (this should be clear from the date stamp on the cards).

# NVRA Site Coordinator Change (Form SEL 504c)

The Secretary of State needs to maintain an accurate list of site coordinators and their contact information. Use this form to report any change in your site coordinator name, agency name, address, phone number or email address.

You can access this form at https://sos.oregon.gov/nvra



NVRA Site Coordinator

The NVRA Site Coordinator is responsible for overseeing your agency's compliance with NVRA.

Use the form below to report any change in your site coordinator name, agency name, address, phone or email address.

NVRA Site Coordinator Change (SEL 504c)

Complete this form if there has been any change in your site coordinator or agency information.

Your Agency/Site Name *

Agency NVRA ID# *

Must be between 1 and 3 digits. Don't know your agency ID number? Call 503-986-1518 for help or email Elections.SOS@sos.oregon.gov.

Date of replacement

The date the changes you are reporting took place.

New site coordinator *

First

Last

Previous site coordinator

First

Last

Leave blank if site coordinator name has not changed.

Address *

Address Line 1

Address Line 2

City

Oregon

Zip Code

Phone

Your email *

A confirmation of this submission will be sent to this email address.

Email of new coordinator (if different than your email)

Additional message (optional)

Use this field to enter any additional information or questions.

Thank you!

Please only click the "Submit" button once and be patient while the form submits.

Submit

# FAQ: Voting in Oregon

## How will voters know they're registered?

The county elections office will mail a voter notification card to let your client know the office accepted the registration. If a person does not receive a voter notification card within 30 days after submitting a completed voter registration card, they should contact the county elections office. The two easiest ways to check registration status are online at OregonVotes.gov or by contacting the appropriate county elections office.

## When should voters receive their ballots?

The county elections office will automatically mail a ballot to each registered voter who is eligible to vote in that election. The first day to mail ballots is the 20th day before an election. The last day to mail ballots is the 14th day before the election.

Voters can check if their ballots have been mailed at OregonVotes.gov or by contacting the appropriate county elections office.

## Where do voters return their ballots?

After completing the ballot and signing the return identification envelope, a voter may: mail the ballot using the United States Postal Service; drop the ballot off at a designated "drop site"; or take the ballot to a county elections office. Voters may drop off their ballots at any official location in Oregon, not just in their home counties. Locations of the drop sites are designated by the county elections official. The location of drop sites may be printed in your state or county voters' pamphlet or you may contact your county elections office to find the nearest drop site location.

Voters can check if their ballots have been received by their county elections offices at OregonVotes.gov.

## 16 year-olds can register to vote. Will they receive a ballot?

While Oregon state law allows for 16 year-olds to register to vote, they will not receive a ballot until they turn 18.

**Forms**

**SEL 503**
Voter Registration Card with Declination

**SEL 503a**
Spanish Voter Registration Card with Declination

**SEL 503d**
Voter Registration Declination Only

**SEL 504c:**
Online NVRA Site Coordinator Change

**SEL 540**
Signature Stamp Attestation

**SEL 550**
Application to Exempt Residence Address from Disclosure as a Public Record

All required forms are available online at **https://sos.oregon.gov/nvra**

DHA and OHA should use the FBOS system to order forms (see p. 8 of this manual).