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SURVEY INDICATES HOUSE BILL COULD DENY VOTING RIGHTS TO MILLIONS OF U.S. CITIZENS

Low-Income, African American, Elderly, and Rural Voters at Special Risk

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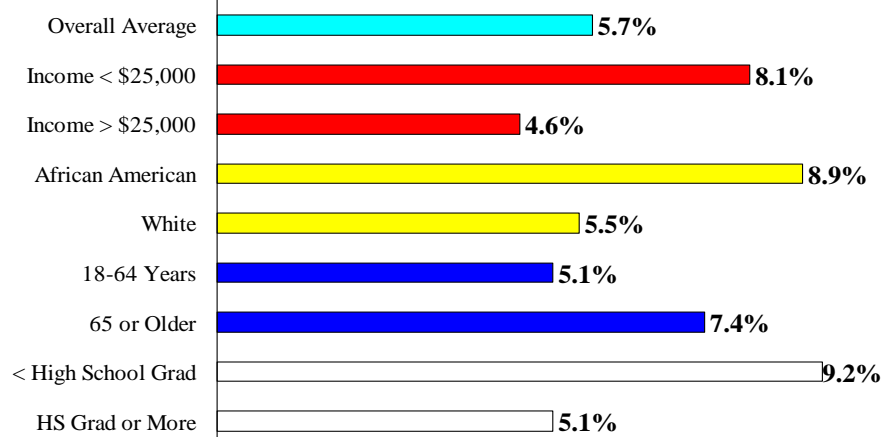
On September 20 the House passed a bill (H.R. 4844) that would, starting in 2010, effectively deny the vote to any U.S. citizen who cannot produce a passport or birth certificate (or proof of naturalization). Although the bill's supporters present it as a measure intended to prevent non-citizens from voting, the bill's main impact will be on U.S. citizens themselves. *A national survey finds that approximately 11 million citizens currently lack the required documents.* A substantial number could have difficulty obtaining or affording them.

The national survey, conducted in January 2006 by Opinion Research Corporation and sponsored by the Center on Budget and Policy Priorities, also indicates that the bill would affect certain groups disproportionately (see Figures 1 and 2) — including people with low incomes, African Americans,

FIGURE 1

Percent of U.S.-Born Adults (18 or Older) Who Do Not Have a Passport or Birth Certificate Available

Key Characteristics



Source: National Survey, Jan. 12-16, 2006. Conducted by Opinion Research Corp. and Commissioned by Center on Budget and Policy Priorities

the elderly, people without a high school diploma, rural residents, and residents of the South and Midwest. Substantial numbers of these and other citizens could potentially be disenfranchised by the bill.

New Rules Would Effectively Require All Voters to Present Passport or Birth Certificate

Under current rules, U.S. citizens who are registered voters can demonstrate their identity by producing one of several kinds of documents, including a photo ID, a current utility bill, or a current bank statement. (Non-citizens are not permitted to vote in federal elections.) The new House bill, in contrast, would require all U.S. citizens who have completed the voter registration process to present a photo ID in order to vote in federal elections in 2008. Then, starting in the 2010 elections, all voters would be required to present a photo ID that proves the voter is a U.S. citizen. Persons who vote by mail would have to mail in a copy of the required documentation along with their completed ballot.

A U.S. passport would satisfy both the 2008 and 2010 requirements, but as explained below, large numbers of U.S. citizens do not have a current passport. The kinds of driver's licenses (or other state identification documents) currently issued by states would satisfy the 2008 requirement but not the 2010 one, since states do not currently require proof of citizenship in order to obtain a license and do not denote citizenship on the license.

Under a 2005 federal law commonly known as the Real ID Act, starting in 2008 states must require citizens applying for driver's licenses to prove their citizenship, so the driver's licenses issued in coming years should meet the 2010 requirement.¹ However, an applicant will need to produce a passport or birth certificate (or proof of naturalized citizenship) to obtain such a driver's license. The House bill would allow states to issue voter photo-ID cards to persons without driver's licenses, but these voter ID cards likewise would require a passport or birth certificate. (While low-income citizens could supposedly obtain these voter ID cards without charge, they would still have to pay for the passport or birth certificate they would need to obtain the voter ID card.) Thus, the House bill would effectively require all voters to present a passport or birth certificate in order to vote.

Survey Shows 11 Million U.S. Citizens Lack Access to Passport or Birth Certificate

In January 2006, the Opinion Research Corporation conducted a nationally representative telephone survey of 2,026 adults, commissioned by the Center, to determine how many U.S.-born adult citizens do not have a passport or birth certificate readily available.² (The Center commissioned the poll in response to a proposal, since enacted as part of the Deficit Reduction Act of 2005, to require U.S. citizens applying for Medicaid or renewing their Medicaid coverage to document their citizenship.) Key findings based on the poll include:

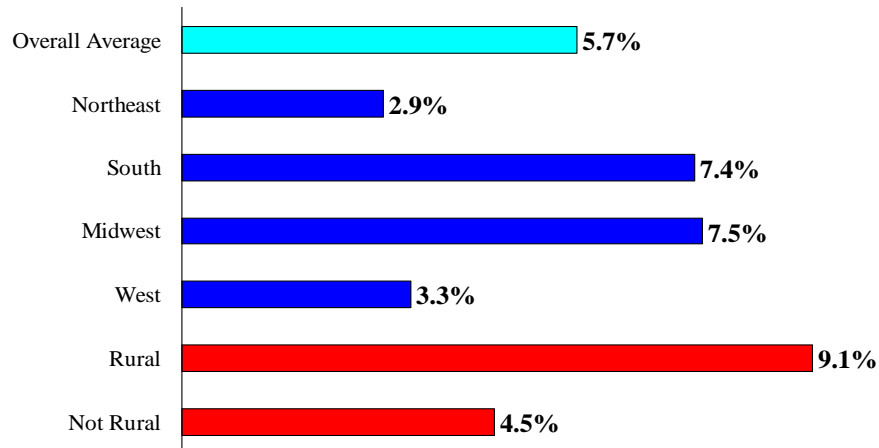
¹ Under the Real ID Act, legal immigrants also may obtain driver's licenses if they verify their legal immigrant status. H.R. 4844 would require that for citizens, an individual's citizenship status be denoted on the driver's license.

² The poll asked two yes/no questions: "Were you born in the United States?" and "Do you currently have a U.S. birth certificate or a valid U.S. passport in your home?" Fewer than one percent of respondents did not know or did not answer whether they had these documents; these people are excluded from the analysis.

FIGURE 2

Geographic Distribution of U.S.-Born Adults Who Do Not Have a Passport or Birth Certificate Available

Key Characteristics



Source: National Survey, Jan. 12-16, 2006. Conducted by Opinion Research Corp. and Commissioned by Center on Budget and Policy Priorities

- Roughly 11 million *citizens* have neither a birth certificate nor passport in their home.³ Under the House bill, those without these documents would be unable to vote in federal elections as of 2010.
- Low-income people (those making less than \$25,000) are nearly twice as likely to lack these documents as people with higher incomes. Nearly 3 million low-income citizens lack the required documents.
- Elderly residents are much more likely to lack these documents than non-elderly ones. Some 2.3 million elderly Americans lack the required documents.
- African Americans are much more likely to lack these documents than whites. Roughly 2 million African Americans lack the required documents. One reason is that a substantial number of elderly African Americans apparently were never issued birth certificates because they were born at home, in large measure as a result of racial discrimination or poverty that kept their mothers from delivering in hospitals (especially in the South). One study estimated that one-fifth of African Americans born in 1939-40 were never issued birth certificates.⁴

The poll also revealed significant geographic disparities:

³ We obtained this figure by multiplying the percentage of respondents without a birth certificate or passport (5.7%) by the total number of U.S.-born adults, as listed in the March 2006 U.S. Current Population Survey. To estimate the number of people in various sub-groups without the needed documents, we adjusted the Census data accordingly.

⁴ Sam Shapiro, "Development of Birth Registration and Birth Certificates in the United States," *Population Studies*, 4:86-111, 1950.

- Rural residents (those living outside metropolitan area) are more than twice as likely to lack a birth certificate or passport as non-rural residents. Some 4.5 million rural Americans lack the required documents.
- Residents of the South and Midwest are more than twice as likely to lack these documents as residents of the Northeast and West. In fact, roughly four-fifths of those who lack the required documents — 8.4 million of the 10.7 million total — are residents of the South or Midwest.

Bill Would Weaken Democracy by Requiring Some Citizens to Pay for Documents in Order to Vote

The effect, if not the intent, of the House bill would be to make it more difficult for millions of eligible U.S. citizens to vote, and most likely to disenfranchise a significant number of these citizens. The bill would be especially hard on certain already vulnerable groups, such as individuals who are elderly or have low incomes. (It can cost \$5 to \$23 to get a birth certificate, while a passport costs \$87 to \$97.) In addition, in the case of many elderly African Americans, the bill would likely reinforce previous racial discrimination that prevented some of them from having birth certificates in the first place. For these reasons, the bill likely would do more to weaken Americans' voting rights than to protect them.