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Mr. Paul Reed
Deputy Assistant Secretary for Health, MD, RADM
U.S. Public Health Service, Office of Disease Prevention and Health Promotion
U.S. Department of Health and Human Services
Washington, D.C.

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Dear Rear Admiral Reed:

The Southern Poverty Law Center (SPLC) Action Fund and the American Civil Liberties Union (ACLU) write in response to the Department of Health and Human Services' (HHS) Solicitation of Written Comments on the Healthy People 2030 Objectives, as detailed in the Federal Register Notice published at 88 FR 71580. This comment focuses on recommendations for advancing Social Determinant of Health-07—Increase the proportion of the voting age citizens who vote—which, as Healthy People 2030 notes, is “getting worse.”¹ **To improve progress toward meeting this core objective, we recommend the Office of Disease Prevention and Health Promotion (ODPHP), through Healthy People 2030, provide evidence-based resources and recommendations to public health professionals, organizations, and health departments on specific steps they can take to improve voter participation.**

The SPLC Action Fund is a public interest advocacy organization working in the Deep South to eliminate structural racism and build a multi-racial, inclusive democracy. Our policy, legal, and program staff in Alabama, Florida, Georgia, Louisiana, and Mississippi work day-in and day-out alongside communities that have been systematically disenfranchised throughout history and continue to face significant barriers to exercising their fundamental right to vote to this day² – communities of color, people with disabilities, and other marginalized people that are disproportionately living in poverty and experience some of the worst health outcomes in the country.³ As such, we know first-hand the dangers to both our democracy and our pursuit of healthy communities presented by low levels of voting and civic participation.

¹ Healthy People 2030, Offices of Disease Prevention and Health Promotion, *Increase the proportion of the voting age citizens who vote – SDOH-07*, <https://health.gov/healthypeople/objectives-and-data/browse-objectives/social-and-community-context/increase-proportion-voting-age-citizens-who-vote-sdoh-07>.

² Southern Poverty Law Center, *A Decade Long Erosion: The Impact of the Shelby County Decision on Political Participation and Representation of Black People and other People of Color in the Deep South*, June 2023, <https://www.splcenter.org/shelby-county-decision-report>.

³ Kaiser Family Foundation, *Health and Health Coverage in the South: A Data Update* (2016), <https://www.kff.org/racial-equity-and-health-policy/issue-brief/health-and-health-coverage-in-the-south-a-data-update/>.

The American Civil Liberties Union works in courts, legislatures, and communities to defend and preserve the individual rights and liberties that the Constitution and laws of the United States guarantee to everyone. Through our affiliates in every state and Washington, D.C., the ACLU fights to protect and expand access to the ballot box for every eligible voter.

Recommendations

Healthy People 2030 is a roadmap for achieving national-level health goals over 10-year spans. Setting, measuring, and tracking progress on these goals informs health improvement planning across federal agencies and at state and local level health agencies and non-profit hospital systems. We are pleased by the Office of Disease Prevention and Health Promotion's (ODPHP) leadership in designating voting as a social determinant of health and in committing to increasing voting levels as a core objective in Healthy People 2030.⁴ One of the ways ODPHP can do that is by ensuring its state and local partners have the information and resources to pursue this important objective, as well.

This comment includes several evidence-based recommendations for improving voter participation. Specifically, we recommend ODPHP, through Healthy People 2030, encourage health departments, professionals, and organizations to:

1. Provide voter registration opportunities via routine interactions with the public;
2. Engage in—or partner with nonpartisan organizations that conduct—integrated voter engagement and activation; and
3. Support policies that remove structural and systemic barriers to participation and improve voter access.

These recommendations are informed by our organizations' respective experience protecting and advancing voting rights in the Deep South and across the country, and they build on the recommendations provided in a separate comment by the Healthy Democracy Healthy People coalition.⁵

⁴ Office of Disease Prevention and Health Promotion, June 27, 2023, *SDOH-R02 Recategorized to Healthy People 2030 Core Objective*, <https://health.gov/news/202306/sdoh-r02-recategorized-healthy-people-2030-core-objective>.

⁵ Healthy Democracy Healthy People, <https://www.healthydemocracyhealthypeople.org/>.

1. Encourage health departments, professionals, and organizations to provide voter registration opportunities via routine interactions with the public.

Getting and staying registered to vote is a significant barrier to voting for many voters,⁶ and not being registered is one of the top-cited reasons for non-voting.⁷ As such, strategies to increase and support voter registration are key to increasing voter participation.⁸ Public health providers and organizations can take advantage of regular, high-quality interactions with the public to provide opportunities to register to vote ahead of elections. Voter registration practices range from passively providing information in waiting rooms or at health fairs to actively registering people during in-person interactions or including a voter registration question on required forms.

In order of potential for impact, Healthy People 2030 partners could:

- *Seek NVRA Designation* – The National Voter Registration Act of 1993 (NVRA) requires that certain state agencies provide robust voter registration services to clients during routine interactions. Robust voter registration services include asking people if they want to register to vote or to update their registration, providing assistance as they complete the voter registration process, and collecting and transmitting completed registration applications to the appropriate election officials. Any public office, agency, or department that is not already designated as an NVRA voter registration agency should seek designation by their state. Evidence suggests that strong compliance with the NVRA voter registration requirements results in more complete voter lists and, in turn, improved voter participation.⁹
- *Incorporate a Voter Registration Question* – Even departments or agencies that are not official NVRA registration sites, and organizations and other private entities that cannot be designated, can still improve access to registration and, in turn, voting, for the eligible people they serve by incorporating a voter registration question directly into any applications they administer for benefits and other services. And administrators of public agencies in states that are not subject to the NVRA can incorporate NVRA-style voter registration services. Voter registration and voting rights experts' experience with various forms of voter registration suggests that this more "active" method of voter registration, compared to more passive methods like providing information about voting

⁶ Stephen Ansolabehere and David M. Konisky, *The Introduction of Voter Registration and Its Effect on Turnout*, Political Analysis 14(1):83-100, January 2006, DOI: <http://dx.doi.org/10.1093/pan/mpi034>; Jacob Neiheisel and Barry Burden, *Election Administrative and the Pure Effect of Voter Registration Turnout*, Political Research Quarterly, 2013, <https://polisci.wisc.edu/2017/02/10/jacob-neiheisel-and-barry-burden2013-election-administrative-and-the-pure-effect-of-voter-registration-turnout-political-researchquarterly/>.

⁷ Domenico Montanaro, *Poll: Despite Record Turnout, 80 Million Americans Didn't Vote. Here's Why.*, NPR (Dec. 15, 2020), <https://www.npr.org/2020/12/15/945031391/poll-despite-record-turnout-80-million-americans-didnt-vote-heres-why>.

⁸ David W. Nickerson, *Do Voter Registration Drives Increase Participation? For Whom and When?*, The Journal of Politics 2015 77:1, 88-101, <https://www.journals.uchicago.edu/doi/10.1086/678391>.

⁹ Demos, *Toward a More Representative Electorate*, <https://www.demos.org/research/toward-more-representative-electorate>.

or registration forms on posters or on tables in waiting rooms, is most effective in getting more people registered to vote.¹⁰

- *Partner with Community-Based Registration Organizations* – Not every entity is well-suited to offer voter registration themselves. In these cases, departments can partner with community organizations that provide nonpartisan voter registration in community settings like schools and health fairs, and with health organizations with expertise in registering voters in clinical settings, such as Vote-ER, Med Out the Vote, Civic Health Alliance.¹¹
- *Provide Voter Registration Information* – While not as effective as the more active forms of voter registration described above, departments, agencies, and organizations interested in improving voter registration can include a link to a state’s online voter registration system on all public websites they operate. In states that do not have online voter registration, these entities can include a link to the federal government’s website with 50-state information on registering and voting, Vote.gov.¹²

2. Encourage health departments, professionals, and organizations to engage in—or partner with nonpartisan organizations that conduct—integrated voter engagement and activation.

While registration is a major barrier to voting, it is not the only one. Voters also miss opportunities to cast a ballot in important elections because they are busy and have not been able to adequately prepare for when and how they will vote. Others do not vote because they do not understand the process, are confused by or unaware of recent changes to the voting process or have been intentionally misled by mis/disinformation campaigns.¹³ Some are unsure of which offices and issues are on the ballot and which candidates will best represent their needs and priorities. Still others are worried about intimidation or even violence at the polling place. Integrated voter engagement is an effective strategy for increasing turnout,¹⁴ and even if a public health department or organization itself cannot engage in all elements of integrated voter engagement, they can adopt some pieces, and/or they can partner with nonpartisan organizations who use part or all of this model.

¹⁰ *Id.* Compliance with the NVRA, which results in higher levels of registration, involves “active” voter registration. When states are out of compliance with their NVRA obligations by offering instead “passive” forms of voter registration, registration rates drop, often significantly.

¹¹ VOT-ER, <https://vot-er.org/about/>; Med Out the Vote, <https://www.medoutthevote.org/gotv/>; Civic Health Alliance, <https://www.civichealthalliance.org/>.

¹² Jinhai Yu, *Does State Online Voter Registration Increase Voter Turnout?*, <https://onlinelibrary.wiley.com/doi/10.1111/ssqu.12598>

¹³ Brennan Center for Justice, *Digital Disinformation and Vote Suppression*, September 2020, <https://www.brennancenter.org/our-work/research-reports/digital-disinformation-and-vote-suppression>. Brookings, *Misinformation is eroding the public’s confidence in democracy*, July 2022, <https://www.brookings.edu/articles/misinformation-is-eroding-the-publics-confidence-in-democracy/>.

¹⁴ Funders’ Committee, *Integrated Voter Engagement: A Proven Model to Increase Civic Engagement*, <https://funderscommittee.org/resource/integrated-voter-engagement-a-proven-model-to-increase-civic-engagement/>.

Healthy People 2030 partners could:

- *Engage in Voter Education* – Engaging in nonpartisan voter education is key to ensuring all voters understand what is on their ballot and how to navigate the voting process ahead of and during elections. Since voting rules and ballot contents vary by jurisdiction and election type, many community organizations, such as the League of Women Voters, use nonpartisan voter guides that help voters understand how to cast a ballot in their jurisdictions.¹⁵ Public health departments and organizations can make such nonpartisan voter guides available as part of their voter education efforts.
- *Collect Voter Pledges* – Having voters make a pledge or commitment to vote, and include a reason why they are going to vote in the upcoming election, increases the likelihood that a voter will vote. It also creates a mechanism for follow-up voter contacts to remind those who took the pledge to vote on or before Election Day.¹⁶ Public health departments and organizations can collect nonpartisan voter pledges from clients and patients as part of both their routine interactions and their voter engagement efforts.
- *Support Clients to Make a Voting Plan* – Having voters make a voting plan has also been shown to increase the likelihood that a voter will turn out on Election Day. Public health departments and organizations can help clients and patients talk through their plan to cast their ballot, and even help voters fill out a form indicating their plan. Doing so can help ensure a voter has fully thought through the time, place, and method of voting before the deadlines have passed.¹⁷
- *Conduct Voter Contact* – Continued meaningful interaction with voters in the days and weeks ahead of an election, especially through canvassing and other forms of direct, in-person voter contact, also increases voter turnout. This contact provides additional opportunities to talk to voters directly about the importance of the election and the connection between issues they care about and voting, as well as to answer questions about when, where, and how to vote.¹⁸⁻¹⁹ Public health departments and organizations can integrate voter contact into their ongoing, regular contact with clients and patients and/or partner with community organizations to facilitate voter contact with their constituents.

¹⁵ League of Women Voters: Vote Guides, <https://www.lwv.org/tag/voter-guides>.

¹⁶ Mia Costa, Brian F Schaffner, Alicia Prevost, *Walking the walk? Experiments on the effect of pledging to vote on youth turnout*, <https://pubmed.ncbi.nlm.nih.gov/29813075/>.

¹⁷ David W. Nickerson and Todd Rogers, *Do You Have a Voting Plan? Implementation Intentions, Voter Turnout, and Organic Plan Making*, <https://www.jstor.org/stable/41062187>.

¹⁸ Alan S. Gerber and Donald P. Green, *Does canvassing increase voter turnout? A field experiment*, <https://www.pnas.org/doi/epdf/10.1073/pnas.96.19.10939>.

¹⁹ Lindsey Cormack, *Leveraging Peer-to-Peer Connections to Increase Voter Participation in Local Elections*, <https://onlinelibrary.wiley.com/doi/abs/10.1111/polp.12297>

3. Encourage health departments, professionals, and organizations to support policies that remove structural and systemic barriers to participation and improve voter access.

Structural barriers to political participation and power building keep the communities most impacted by societal inequities, including inadequate access to healthcare, out of effectively influencing critical decision-making processes. Black, Latinx, and Native American voters in particular face heightened barriers to voting and participating in our democracy. These voters are more likely to experience longer polling lines,²⁰ are disproportionately burdened by stringent voter identification laws,²¹ and report having difficulty locating their polling places at much higher rates than their white counterparts.²²

Several policy solutions show promising evidence for addressing these structural barriers and increasing voter participation. Health providers and organizations can support these policies through conversations with policymakers and, where permissible, providing testimony on the connections between voting and health and the benefits of policy proposals that facilitate voting; through health impact assessments of proposed policies and/or research demonstrating the negative effects of low levels of voting and/or the salutary effects of increased voter participation; and through other means consistent with their mission and mandate.

Evidence-based policies that remove structural barriers and promote voter access include:

- *Automatic Voter Registration* – Automatic Voter Registration (AVR) is a process that allows eligible individuals to be registered to vote when they interact with government agencies like the department of motor vehicles or social service programs like Medicaid or disability offices. Information gathered from participating agencies is transmitted to elections officials who either register new voters or update existing registration information. All AVR programs allow individuals to opt-out of the registration process. Evidence from Oregon, the first state to implement AVR, shows a significant increase in voter registration and turnout after the policy was implemented, including for communities of color and young people.²³
- *Online Voter Registration* – Online Voter Registration (OVR) allows eligible individuals to register or update their registration information through an online platform. OVR uses the same process as traditional voter registration but instead of using a paper form, uses a

²⁰ M. Keith Chen et al., *Racial Disparities in Voting Wait Times: Evidence from Smartphone Data*, CORNELL UNIV. (Oct. 31, 2020), <https://doi.org/10.48550/arXiv.1909.00024>, Hannah Klain et al., *Waiting to Vote: Racial Disparities in Election Day Experiences*, BRENNAN CTR. FOR JUST. (Jun. 3, 2020), <https://www.brennancenter.org/our-work/research-reports/waiting-vote>.

²¹ Alex Vandermaas-Peeler et al., *American Democracy in Crisis: The Challenges of Voter Knowledge, Participation, and Polarization*, PRRI (Aug. 8, 2019), <https://www.prii.org/research/American-democracy-in-crisis-voters-midterms-trump-election-2018>.

²² *Id.*

²³ Demos, *Oregon Automatic Voter Registration*, July 2017, https://www.demos.org/policy-briefs/oregon-automatic-voter-registration#footnote4_otm32oq.

paperless form that is submitted electronically to election officials. Evidence shows that OVR increases turnout.²⁴

- *Same Day Registration* – Same Day Registration (SDR) allows voters to register to vote and cast their ballot on the same day, either during early voting or on Election Day, or both. SDR is a critical failsafe for voters who have moved or changed their name since they first registered, or who have been erroneously removed from the registration rolls due to an administrative error or, in some states, because they have not voted in recent elections. Evidence shows that SDR increases voter participation,²⁵ including for Black and Latinx communities.²⁶
- *Pre-Registration for 16- and 17-year-olds* – Pre-registration policies allow 16- and/or 17-year-olds to register to vote before they are of legal voting age so that they are eligible to cast a ballot as soon as they turn 18. Evidence shows that pre-registration policies increase youth voter turnout.²⁷
- *Voting by Mail* – Policies that allow voting by mail, also known as voting at home or no-excuse absentee voting, provide flexibility for all voters to vote on a schedule that fits their lives, and from the comfort and safety of their own homes. Voting by mail was especially important and grew in popularity during the 2020 elections, conducted during the height of a deadly global pandemic. Some states that allow mail voting also maintain permanent absentee voter lists where voters can continue to receive absentee ballots without the need to resubmit requests for each election. Research shows that policies that enable accessible absentee voting policies increase voter participation.²⁸
- *Extended Early Voting Days* – Early in-person voting options allow voters to cast a ballot on a day that best meets their schedule before Election Day. Since Election Day is on a Tuesday, polling centers often close around 7 pm, and not many workers have the day off, providing early voting options can ensure voters with varying work schedules can cast their ballots. Research shows that extending early voting days increases voter participation.²⁹
- *Inclusive Voter ID Policies* – Strict ID policies create barriers for many voters, especially for voters of color and voters with low incomes. A study by the Government Accountability Office has shown a negative correlation between strict voter ID laws and

²⁴ Jinhai Yu, *Does State Online Voter Registration Increase Voter Turnout?*, <https://onlinelibrary.wiley.com/doi/10.1111/ssqu.12598>.

²⁵ Roger Larocca and John S. Klemanski, *U.S. State Election Reform and Turnout in Presidential Elections*, *State Politics and Policy Quarterly*, February 15, 2011, <https://doi.org/10.1177%2F1532440010387401>. Jacob R. Neiheisel and Barry C. Burden, *The Impact of Election Day Registration on Voter Turnout and Election Outcomes*, *American Politics Research*, February 8, 2012, <https://doi.org/10.1177%2F1532673X11432470>.

²⁶ Demos, *Policy Brief: How Same-Day Voter Registration Can Boost Turnout Among Black and Latinx Voters*, <https://www.demos.org/policy-briefs/same-day-registration-how-registration-reform-can-boost-turnout-among-black-and->

[black-and.](https://www.demos.org/policy-briefs/same-day-registration-how-registration-reform-can-boost-turnout-among-black-and-)
²⁷ John B. Holbein and D. Sunshine Hillygus, *Making Young Voters: The Impact of Preregistration on Youth Turnout*, <https://www.jstor.org/stable/24877627>.

²⁸ Michael Ritter, *Assessing the Impact of the United States Postal System and Election Administration on Absentee and Mail Voting in the 2012 to 2020 U.S. Midterm and Presidential Elections*, <https://www.liebertpub.com/doi/abs/10.1089/elj.2022.0060>.

²⁹ American Economic Association, *Early Voting Laws, Voter Turnout, and Partisan Vote Composition: Evidence from Ohio*, <https://www.aeaweb.org/articles?id=10.1257/app.20180192>.

voter participation.³⁰ Burdensome photo ID laws deprive many voters of their right to vote, and policymakers should consider expanding the list of acceptable forms of voter identification.

Conclusion

ODPHP and Healthy People 2030 can make progress toward its core objective of increasing the proportion of voting-age citizens who vote by ensuring its state and local partners take steps toward improving this objective, too. Information and resources like those included in this comment can help state and local public health professionals, organizations, and health departments to do so, and we encourage ODPHP to make them available on the Healthy People 2030 website by sending them directly to all your relevant partners.

For any questions, please contact Laura Williamson at laura.williamson@splcenter.org or Xavier Persad at xpersad@aclu.org.

Sincerely,



Laura Williamson, Senior Policy Advisor for Voting Rights
Southern Poverty Law Center Action Fund



Xavier Persad, Senior Policy Counsel for Voting Rights
American Civil Liberties Union

³⁰ U.S. Government Accountability Office, *Issues Related to State Voter Identification Laws* [Reissued on February 27, 2015], <https://www.gao.gov/products/gao-14-634>.