

118TH CONGRESS
1ST SESSION

H. R. 3162

To amend the National Voter Registration Act of 1993 to require the Secretary of Homeland Security and the Commissioner of Social Security to provide information to States upon request which will enable States to verify the citizenship status of applicants for voter registration in elections for Federal office in the State and remove individuals who are not citizens of the United States from the list of individuals registered to vote in elections for Federal office in the State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2023

Mr. ROY (for himself, Mr. ROSENDALE, Mr. SESSIONS, and Mr. BURGESS) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the National Voter Registration Act of 1993 to require the Secretary of Homeland Security and the Commissioner of Social Security to provide information to States upon request which will enable States to verify the citizenship status of applicants for voter registration in elections for Federal office in the State and remove individuals who are not citizens of the United States from the list of individuals registered to vote in elections for Federal office in the State, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting American
5 Voters Act”.

6 **SEC. 2. REQUIRING PROVISION OF INFORMATION UPON RE-**
7 **QUEST TO ENABLE STATES TO VERIFY CITI-**
8 **ZENSHIP STATUS OF APPLICANTS FOR**
9 **VOTER REGISTRATION AND INDIVIDUALS ON**
10 **VOTER REGISTRATION LISTS.**

11 (a) PROVISION OF INFORMATION UPON REQUEST.—
12 Section 9 of the National Voter Registration Act of 1993
13 (52 U.S.C. 20508) is amended by adding at the end the
14 following new subsection:

15 “(c) PROVISION OF INFORMATION UPON REQUEST
16 TO ENABLE STATES TO VERIFY CITIZENSHIP STATUS OF
17 APPLICANTS AND REGISTRANTS.—

18 “(1) IN GENERAL.—At the request of a State
19 election official, the Secretary of Homeland Security
20 and the Commissioner of the Social Security Admin-
21 istration shall provide the official with such informa-
22 tion as may be necessary to enable the official to
23 verify that an applicant for voter registration in elec-
24 tions for Federal office held in the State or a reg-
25 istrant on the official list of eligible voters in elec-

1 tions for Federal office held in the State is a citizen
2 of the United States.

3 “(2) USE OF SAVE SYSTEM.—The Secretary of
4 Homeland Security may respond to a request re-
5 ceived under paragraph (1) by using the system for
6 the verification of immigration status under the ap-
7 plicable provisions of section 1137 of the Social Se-
8 curity Act (42 U.S.C. 1320b-7), as established pur-
9 suant to section 121(c) of the Immigration Reform
10 and Control Act of 1986 (Public Law 99-603).

11 “(3) SHARING OF INFORMATION.—The Sec-
12 retary and the Commissioner may share information
13 with each other with respect to an individual who is
14 the subject of a request received under paragraph
15 (1) in order to enable the Secretary and the Com-
16 missioner to respond to the request.

17 “(4) PRIVACY.—The Secretary shall carry out
18 this subsection in accordance with such safeguards
19 as the Commissioner determines to be necessary or
20 appropriate to protect the confidentiality of the so-
21 cial security account number of any individual.

22 “(5) PROHIBITING FEES.—The Secretary may
23 not charge a fee for responding to a State’s request
24 under paragraph (1).

1 “(6) REGULATIONS.—The Secretary shall pro-
2 mulgate such regulations as may be necessary to
3 carry out this subsection.”.

4 (b) CLARIFICATION OF AUTHORITY OF STATE TO
5 REMOVE NONCITIZENS FROM OFFICIAL LIST OF ELIGI-
6 BLE VOTERS.—

7 (1) IN GENERAL.—Section 8(a)(4) of the Na-
8 tional Voter Registration Act of 1993 (52 U.S.C.
9 20507(a)(4)) is amended—

10 (A) by striking “or” at the end of subpara-
11 graph (A);

12 (B) by adding “or” at the end of subpara-
13 graph (B); and

14 (C) by adding at the end the following new
15 subparagraph:

16 “(C) a determination that the registrant is
17 not a citizen of the United States;”.

18 (2) CONFORMING AMENDMENT.—Section
19 8(c)(2)(B)(i) of such Act (52 U.S.C.
20 20507(c)(2)(B)(i)) is amended by striking “(4)(A)”
21 and inserting “(4)(A) or (C)”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply with respect to elections held on
24 or after January 1, 2024.

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