

117TH CONGRESS
2D SESSION

S. 4335

To improve voter access to the ballot box through automatic voter registration,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2022

Ms. KLOBUCHAR (for herself, Mr. BLUMENTHAL, Mr. WYDEN, Mr. LEAHY,
Mr. CASEY, Ms. SMITH, Ms. WARREN, Ms. HIRONO, and Mr. BOOKER)
introduced the following bill; which was read twice and referred to the
Committee on Rules and Administration

A BILL

To improve voter access to the ballot box through automatic
voter registration, 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 “Register America to
5 Vote Act of 2022”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS AND PURPOSE.—

8 (1) FINDINGS.—Congress finds that—

1 (A) the right to vote is a fundamental
2 right of citizens of the United States;

3 (B) it is the responsibility of Federal and
4 State governments to ensure that every eligible
5 citizen is registered to vote;

6 (C) existing voter registration systems can
7 be inaccurate, costly, inaccessible, and con-
8 fusing, with damaging effects on voter partici-
9 pation in elections for Federal office and dis-
10 proportionate impacts on young people, individ-
11 uals with disabilities, and racial and ethnic mi-
12 norities; and

13 (D) voter registration systems must be up-
14 dated with 21st Century technologies and pro-
15 cedures to maintain their security.

16 (2) PURPOSE.—It is the purpose of this Act—

17 (A) to establish that it is the responsibility
18 of government to ensure that all eligible citizens
19 are registered to vote in elections for Federal
20 office;

21 (B) to enable the State governments to
22 register all eligible citizens to vote with accu-
23 rate, cost-efficient, and up-to-date procedures;

1 (C) to modernize voter registration and list
2 maintenance procedures with electronic and
3 internet capabilities; and

4 (D) to protect and enhance the integrity,
5 accuracy, efficiency, and accessibility of the
6 electoral process for all eligible citizens.

7 **SEC. 3. DEFINITIONS.**

8 In this Act, the following definitions apply:

9 (1) The term “chief State election official”
10 means, with respect to a State, the individual des-
11 ignated by the State under section 10 of the Na-
12 tional Voter Registration Act of 1993 (52 U.S.C.
13 20509) to be responsible for coordination of the re-
14 sponsibilities under that Act.

15 (2) The term “State” means each of the several
16 States, the District of Columbia, the Commonwealth
17 of Puerto Rico, the United States Virgin Islands,
18 Guam, American Samoa, and the Commonwealth of
19 the Northern Mariana Islands.

20 **SEC. 4. AUTOMATIC REGISTRATION OF INDIVIDUALS TURN-**
21 **ING 18 YEARS OF AGE.**

22 (a) REQUIREMENT.—Except as provided in sub-
23 section (b), the chief State election official of each State
24 shall establish and operate a system of automatic registra-
25 tion for the registration of any eligible individual on the

1 date on which the individual turns 18 in order that the
 2 individual may vote in elections for Federal office in the
 3 State.

4 (b) EXCEPTION.—The requirement under paragraph
 5 (1) shall not apply to a State in which, under a State law
 6 in effect continuously on and after the date of the enact-
 7 ment of this section, there is no voter registration require-
 8 ment for individuals in the State with respect to elections
 9 for Federal office.

10 **SEC. 5. AUTOMATIC REGISTRATION OF ELIGIBLE INDIVID-**
 11 **UALS.**

12 (a) IN GENERAL.—The National Voter Registration
 13 Act of 1993 (52 U.S.C. 20504) is amended by inserting
 14 after section 5 the following new section:

15 **“SEC. 5A. AUTOMATIC REGISTRATION BY STATE MOTOR VE-**
 16 **HICLE AUTHORITY.**

17 “(a) DEFINITIONS.—In this section—

18 “(1) APPLICABLE AGENCY.—The term ‘applica-
 19 ble agency’ means, with respect to a State, the State
 20 motor vehicle authority responsible for motor vehicle
 21 driver’s licenses under State law.

22 “(2) APPLICABLE TRANSACTION.—The term
 23 ‘applicable transaction’ means—

24 “(A) an application to an applicable agency
 25 for a motor vehicle driver’s license; and

1 “(B) any other service or assistance (in-
2 cluding for a change of address) provided by an
3 applicable agency.

4 “(3) AUTOMATIC REGISTRATION.—The term
5 ‘automatic registration’ means a system that reg-
6 isters an individual to vote and updates existing
7 voter registration in elections for Federal office in a
8 State, if eligible, by electronically transferring the
9 information necessary for registration from the ap-
10 plicable agency to election officials of the State in
11 order that, unless the individual affirmatively de-
12 clines to be registered or to update any voter reg-
13 istration, the individual will be registered to vote in
14 those elections.

15 “(4) ELIGIBLE INDIVIDUAL.—The term ‘eligible
16 individual’ means, with respect to an election for
17 Federal office, an individual who is otherwise quali-
18 fied to vote in that election.

19 “(5) REGISTER TO VOTE.—The term ‘register
20 to vote’ includes updating the existing voter registra-
21 tion of an individual.

22 “(b) ESTABLISHMENT.—

23 “(1) IN GENERAL.—The chief State election of-
24 ficial of each State shall establish and operate a sys-
25 tem of automatic registration for the registration of

1 eligible individuals to vote for elections for Federal
2 office in the State, in accordance with the provisions
3 of this section.

4 “(2) REGISTRATION OF VOTERS BASED ON NEW
5 AGENCY RECORDS.—

6 “(A) IN GENERAL.—The chief State elec-
7 tion official shall—

8 “(i) subject to subparagraph (B), en-
9 sure that each eligible individual who com-
10 pletes an applicable transaction and does
11 not decline to register to vote is registered
12 to vote—

13 “(I) in the next election for Fed-
14 eral office (and subsequent elections
15 for Federal office), if an applicable
16 agency transmits information under
17 subsection (c)(1)(E) with respect to
18 the individual not later than the appli-
19 cable date; and

20 “(II) in subsequent elections for
21 Federal office, if an applicable agency
22 transmits information under sub-
23 section (c)(1)(E) with respect to the
24 individual after the applicable date;
25 and

1 “(ii) not later than 60 days after the
2 receipt of information described in sub-
3 section (c)(1)(E) with respect to an indi-
4 vidual, send written notice to the indi-
5 vidual, in addition to other means of notice
6 established under this section, of the voter
7 registration status of the individual.

8 “(B) APPLICABLE DATE.—For purposes of
9 this subsection, the term “applicable date”
10 means, with respect to any election for Federal
11 office, the later of—

12 “(i) the date that is 28 days before
13 the date of the election; or

14 “(ii) the last day of the period pro-
15 vided by State law for voter registration
16 with respect to such election.

17 “(C) CLARIFICATION.—Nothing in this
18 subsection shall prevent a chief State election
19 official from registering an eligible individual to
20 vote in the next election for Federal office in
21 the State, including if an applicable agency
22 transmits information under subsection
23 (c)(1)(E) with respect to the individual after
24 the applicable date.

1 “(3) TREATMENT OF INDIVIDUALS UNDER 18
2 YEARS OF AGE.—

3 “(A) IN GENERAL.—Except as provided in
4 subparagraph (B), a State may not refuse to
5 treat an individual as an eligible individual for
6 purposes of this section on the grounds that the
7 individual is less than 18 years of age on the
8 date on which an applicable agency receives in-
9 formation with respect to the individual, pro-
10 vided that the individual is not less than 16
11 years of age at that time.

12 “(B) EXCEPTION.—Nothing in subpara-
13 graph (A) may be construed to require a State
14 to permit an individual who is less than 18
15 years of age on the date of an election for Fed-
16 eral office to vote in the election.

17 “(c) APPLICABLE AGENCY RESPONSIBILITIES.—

18 “(1) INSTRUCTIONS ON AUTOMATIC REGISTRA-
19 TION FOR AGENCIES COLLECTING CITIZENSHIP IN-
20 FORMATION.—

21 “(A) IN GENERAL.—Except as otherwise
22 provided in this section, in the case of any ap-
23 plicable transaction for which an applicable
24 agency (in the normal course of the operations)
25 requests (either directly or as part of the overall

1 application submitted for the applicable trans-
2 action) that an individual affirm that the indi-
3 vidual is a United States citizen, the applicable
4 agency shall inform each such individual who is
5 a citizen of the United States of the following:

6 “(i) Unless the individual declines to
7 register to vote, or is found ineligible to
8 vote—

9 “(I) the individual will be reg-
10 istered to vote; or

11 “(II) if applicable, the voter reg-
12 istration of the individual will be up-
13 dated.

14 “(ii) With respect to the qualification
15 to register to vote—

16 “(I) the substantive qualifications
17 of an elector in the State as listed in
18 the mail voter registration application
19 form for elections for Federal office
20 prescribed pursuant to section 9;

21 “(II) the consequences of false
22 registration; and

23 “(III) how the individual should
24 decline to register to vote if the indi-

vidual does not meet requirements for
eligibility to vote in a Federal election.

“(iii) In the case of a State in which
affiliation or enrollment with a political
party is required in order to participate in
an election for Federal office to select the
candidate of the political party, the re-
quirement that the individual must, in reg-
istering to vote, affiliate or enroll with a
political party in order to participate in
such an election.

“(iv) With respect to voter registra-
tion by an individual—

“(I) voter registration is vol-
untary;

“(II) whether the individual reg-
isters or declines to register to vote
shall not affect the availability of any
service or benefit; and

“(III) information relating to
whether the individual registers or de-
clines to register to vote may not be
used for other purposes.

“(B) INDIVIDUALS WITH LIMITED
ENGLISH PROFICIENCY.—

1 “(i) COVERED INDIVIDUAL.—For pur-
2 poses of this subparagraph, the term ‘cov-
3 ered individual’ means an individual con-
4 ducting an applicable transaction—

5 “(I) who is a member of a group
6 that constitutes not less than 3 per-
7 cent of the overall population of the
8 State, as determined by the United
9 States Census Bureau, served by the
10 applicable agency; and

11 “(II) who is limited English pro-
12 ficient.

13 “(ii) REQUIREMENT.—In providing
14 information pursuant to subparagraph (A),
15 an applicable agency shall provide the in-
16 formation to any covered individual served
17 by the applicable agency in a language un-
18 derstood by the covered individual.

19 “(C) CLARIFICATION OF PROCEDURES FOR
20 INELIGIBLE VOTERS.—An applicable agency
21 may not provide an individual who did not af-
22 firm United States citizenship, or for whom the
23 applicable agency has conclusive documentary
24 evidence obtained through the normal course of
25 operations of the applicable agency that the in-

1 dividual is not a United State citizen, the op-
2 portunity to register to vote under subpara-
3 graph (A).

4 “(D) OPPORTUNITY TO DECLINE REG-
5 ISTRATION REQUIRED.—

6 “(i) IN GENERAL.—Except as other-
7 wise provided in this section, each applica-
8 ble agency shall ensure that each applica-
9 ble transaction described in subparagraph
10 (A) may not be completed unless the indi-
11 vidual is given the opportunity to decline
12 to be registered to vote.

13 “(ii) LANGUAGE REQUIREMENT.—If
14 an individual is a covered individual, as de-
15 fined in subparagraph (B)(i), the covered
16 individual shall be given the opportunity to
17 decline to be registered to vote in a lan-
18 guage understood by the covered indi-
19 vidual.

20 “(E) INFORMATION TRANSMITTAL.—Not
21 later than 10 days after an applicable trans-
22 action with an eligible individual, if the eligible
23 individual did not decline to be registered to
24 vote, the applicable agency shall electronically
25 transmit to the appropriate State election offi-

1 cial the following information with respect to
2 the eligible individual:

3 “(i) The given name and surname of
4 the eligible individual.

5 “(ii) The date of birth of the eligible
6 individual.

7 “(iii) The residential address of the
8 individual.

9 “(iv) Information showing that the in-
10 dividual is a citizen of the United States.

11 “(v) The date on which information
12 pertaining to the eligible individual was
13 collected or most recently updated.

14 “(vi) If available, the signature of the
15 eligible individual in electronic form.

16 “(vii) In the case of a State in which
17 affiliation or enrollment with a political
18 party is required in order to participate in
19 an election to select the candidate of the
20 political party in an election for Federal
21 office, information relating to the affili-
22 ation or enrollment of the eligible indi-
23 vidual with a political party, if the eligible
24 individual provides that information.

1 “(viii) Any additional information list-
 2 ed in the mail voter registration applica-
 3 tion form for elections for Federal office
 4 prescribed pursuant to section 9, including,
 5 if the eligible individual provides such in-
 6 formation—

7 “(I) the valid driver’s license
 8 number of the eligible individual; and

9 “(II) the last 4 digits of the so-
 10 cial security number of the eligible in-
 11 dividual.

12 “(F) PROVISION OF INFORMATION RELAT-
 13 ING TO PARTICIPATION IN PRIMARY ELEC-
 14 TIONS.—In the case of a State in which affili-
 15 ation or enrollment with a political party is re-
 16 quired in order to participate in an election to
 17 select the candidate of a political party in an
 18 election for Federal office, if the information
 19 transmitted under subparagraph (E) with re-
 20 spect to an eligible individual does not include
 21 information regarding the affiliation or enroll-
 22 ment with a political party of the eligible indi-
 23 vidual, the chief State election official shall—

24 “(i) notify the eligible individual that
 25 such affiliation or enrollment is required to

1 participate in any primary election for
2 Federal office; and

3 “(ii) provide an opportunity for the el-
4 igible individual to update the registration
5 of the eligible individual to denote the
6 party affiliation or enrollment of the eligi-
7 ble individual.

8 “(G) CLARIFICATION.—Nothing in this
9 section shall be construed to require an applica-
10 ble agency to transmit to an election official the
11 information described in subparagraph (E) with
12 respect to an individual who is ineligible to vote
13 in an election for Federal office in the State,
14 except to the extent required to pre-register a
15 citizen between 16 and 18 years of age.

16 “(2) ALTERNATE PROCEDURE FOR CERTAIN
17 OTHER APPLICABLE AGENCIES.—With each applica-
18 ble transaction for which an applicable agency (in
19 the normal course of the operations of the applicable
20 agency) does not request an individual to affirm
21 United States citizenship (either directly or as part
22 of the overall application for service or assistance),
23 the applicable agency shall—

24 “(A) complete the requirements under sec-
25 tion 5;

1 “(B) ensure that each transaction by an
 2 individual with the applicable agency may not
 3 be completed unless the individual indicates
 4 whether the individual wishes to register to vote
 5 or declines to register to vote in elections for
 6 Federal office held in the State; and

7 “(C) for each individual who wishes to reg-
 8 ister to vote, transmit the information relating
 9 to the individual described in paragraph (1)(E),
 10 unless the applicable agency has conclusive doc-
 11 umentary evidence obtained through the normal
 12 course of operations of the applicable agency
 13 that the individual is not a United States cit-
 14 izen.

15 “(3) REQUIRED AVAILABILITY OF AUTOMATIC
 16 REGISTRATION OPPORTUNITY WITH EACH APPLICA-
 17 TION FOR SERVICE OR ASSISTANCE.—Each applica-
 18 ble agency shall offer each eligible individual, in con-
 19 ducting each applicable transaction, the opportunity
 20 to register to vote as prescribed by this section with-
 21 out regard to whether the individual previously de-
 22 clined an opportunity to register to vote.

23 “(d) VOTER PROTECTION.—

24 “(1) PROTECTION OF INFORMATION BY APPLI-
 25 CABLE AGENCIES.—Nothing in this section may be

1 construed to authorize an applicable agency to col-
 2 lect, retain, transmit, or publicly disclose any of the
 3 following, except as necessary to comply with title
 4 III of the Civil Rights Act of 1960 (52 U.S.C.
 5 20701 et seq.):

6 “(A) The decision of an individual to de-
 7 cline to register to vote.

8 “(B) The decision of an individual not to
 9 affirm the citizenship of the individual.

10 “(C) Any information that an applicable
 11 agency transmits pursuant to subsection
 12 (c)(1)(E), except in carrying out the ordinary
 13 course of business of the applicable agency.

14 “(2) PROTECTION OF INFORMATION BY ELEC-
 15 TIONS OFFICIALS.—

16 “(A) PUBLIC DISCLOSURE PROHIBITED.—

17 “(i) IN GENERAL.—Except as pro-
 18 vided in clause (ii), with respect to any in-
 19 dividual with respect to whom any appro-
 20 priate State election official receives infor-
 21 mation from an applicable agency, the
 22 State election official shall not publicly dis-
 23 close—

24 “(I) any information not nec-
 25 essary to voter registration;

1 “(II) any information of the indi-
 2 vidual otherwise protected from disclo-
 3 sure pursuant to section 8(a) or State
 4 law;

5 “(III) any portion of the social
 6 security number of the individual;

7 “(IV) any portion of the motor
 8 vehicle driver’s license number of the
 9 individual;

10 “(V) the signature of the indi-
 11 vidual;

12 “(VI) the telephone number of
 13 the individual; or

14 “(VII) the email address of the
 15 individual.

16 “(ii) SPECIAL RULE FOR INDIVIDUALS
 17 REGISTERED TO VOTE.—The prohibition
 18 on public disclosure under clause (i) shall
 19 not apply with respect to the telephone
 20 number or email address of any indi-
 21 vidual—

22 “(I) for whom any State election
 23 official receives information from the
 24 applicable agency; and

1 “(II) who, on the basis of such
2 information, is registered to vote in
3 the State under this section.

4 “(e) MISCELLANEOUS PROVISIONS.—

5 “(1) ACCESSIBILITY OF REGISTRATION SERV-
6 ICES.—Each applicable agency shall ensure that the
7 voter registration services the applicable agency pro-
8 vides under this section are made available to indi-
9 viduals with disabilities to the same extent as serv-
10 ices are made available to all other individuals.

11 “(2) TRANSMISSION THROUGH SECURE THIRD
12 PARTY PERMITTED.—Nothing in the Register Amer-
13 ica to Vote Act of 2022 or this section shall be con-
14 strued to prevent an applicable agency from con-
15 tracting with a third party to assist the applicable
16 agency in meeting the information transmittal re-
17 quirements under this section, provided that the in-
18 formation transmittal complies with the applicable
19 requirements of this section, including provisions re-
20 lating privacy and security.

21 “(3) NONPARTISAN, NONDISCRIMINATORY PRO-
22 VISION OF SERVICES.—The services made available
23 by applicable agencies under this section shall be
24 made in a manner consistent with paragraphs (4),
25 (5), and (6)(C) of section 7(a).

1 “(4) NOTICES.—

2 “(A) ELECTRONIC NOTICES.—Each State
3 may send notices under this section via elec-
4 tronic mail if the individual has provided an
5 electronic mail address and consented to elec-
6 tronic mail communications for election-related
7 materials.

8 “(B) RESPONSE.—Any notice sent pursu-
9 ant to this section that requires a response shall
10 offer the individual to whom the notice is sent
11 the opportunity to respond to the notice at no
12 cost to the individual.

13 “(5) REGISTRATION AT OTHER STATE OFFICES
14 PERMITTED.—Nothing in this section may be con-
15 strued to prohibit a State from offering voter reg-
16 istration services described in this section at offices
17 of the State other than the State motor vehicle au-
18 thority.

19 “(f) APPLICABILITY.—

20 “(1) IN GENERAL.—This section shall not apply
21 to an exempt State.

22 “(2) EXEMPT STATE.—The term ‘exempt State’
23 means a State that, under law that is in effect on
24 or after the date of enactment of this Act, either—

1 “(A) has no voter registration requirement
 2 for any voter in the State with respect to a
 3 Federal election; or

4 “(B) operates a system of automatic reg-
 5 istration (as defined in subsection (a))—

6 “(i) at the motor vehicle authority of
 7 the State; or

8 “(ii) a Permanent Dividend Fund of
 9 the State under which an individual is pro-
 10 vided the opportunity to decline to register
 11 to vote—

12 “(I) during the transaction; or

13 “(II) by notice sent by mail or
 14 electronically after the transaction.”.

15 (b) CONFORMING AMENDMENTS.—

16 (1) Section 4(a) of the National Voter Registra-
 17 tion Act of 1993 (52 U.S.C. 20503(a)(1)) is amend-
 18 ed by—

19 (A) redesignating paragraphs (2) and (3)
 20 as paragraphs (3) and (4), respectively; and

21 (B) inserting after paragraph (1) the fol-
 22 lowing:

23 “(2) by application made simultaneously with
 24 an application for a motor vehicle driver’s license
 25 pursuant to section 5A;”.

1 (2) Section 4(b) of the National Voter Registra-
2 tion Act of 1993 (52 U.S.C. 20503(b)) is amend-
3 ed—

4 (A) by redesignating paragraphs (1) and
5 (2) as subparagraphs (A) and (B), respectively,
6 and indenting appropriately;

7 (B) by striking “STATES.—This Act” and
8 inserting “STATES.—

9 “(1) IN GENERAL.—Except as provided in para-
10 graph (2), this Act”; and

11 (C) by adding at the end the following new
12 paragraph:

13 “(2) APPLICATION OF AUTOMATIC REGISTRA-
14 TION REQUIREMENTS.—Section 5A shall apply to a
15 State described in paragraph (1), unless the State is
16 an exempt State as defined in subsection (f)(2) of
17 that section.”.

18 (3) Section 8(a)(1) of the National Voter Reg-
19 istration Act of 1993 (52 U.S.C. 20507(a)(1)) is
20 amended by redesignating subparagraphs (B), (C),
21 and (D) as subparagraphs (C), (D), and (E), respec-
22 tively, and by inserting after subparagraph (A) the
23 following:

1 “(B) in the case of registration under sec-
2 tion 5A, within the period provided in section
3 5A(b)(2);”.

4 **SEC. 6. VOTER PROTECTION AND SECURITY IN AUTOMATIC**
5 **REGISTRATION.**

6 (a) PROTECTIONS FOR ERRORS IN REGISTRATION.—

7 An individual shall not be prosecuted under any Federal
8 or State law, adversely affected in any civil adjudication
9 concerning immigration status or naturalization, or sub-
10 ject to an allegation in any legal proceeding that the indi-
11 vidual is not a citizen of the United States for any of the
12 following reasons:

13 (1) The individual notifies an election office of
14 the individual’s automatic registration to vote.

15 (2) The individual is not eligible to vote in elec-
16 tions for Federal office but was automatically reg-
17 istered to vote due to individual or applicable agency
18 error.

19 (3) The individual was automatically registered
20 to vote at an address that is not the correct residen-
21 tial address of the individual.

22 (4) The individual declined the opportunity to
23 register to vote or did not make an affirmation of
24 citizenship when registering to vote, including
25 through automatic registration.

1 (b) LIMITS ON USE OF AUTOMATIC REGISTRA-
 2 TION.—The automatic registration (as defined in section
 3 5A of the National Voter Registration Act of 1993) of any
 4 individual, or the fact that an individual declined the op-
 5 portunity to register to vote or did not make an affirma-
 6 tion of citizenship (including through automatic registra-
 7 tion), may not be used as evidence against that individual
 8 in any State or Federal law enforcement proceeding or any
 9 civil adjudication concerning immigration status or natu-
 10 ralization, and the lack of knowledge or willfulness of the
 11 individual in such registration may be demonstrated by
 12 the testimony of the individual alone.

13 (c) PROTECTION OF ELECTION INTEGRITY.—Noth-
 14 ing in subsection (a) or (b) shall be construed to prohibit
 15 or restrict any action under color of law against an indi-
 16 vidual who—

17 (1) knowingly and willfully makes a false state-
 18 ment to effectuate or perpetuate automatic voter
 19 registration by any individual; or

20 (2) casts a ballot knowingly and willfully in vio-
 21 lation of State law or the laws of the United States.

22 (d) PROTECTION OF INFORMATION BY ELECTIONS
 23 OFFICIALS.—

24 (1) VOTER RECORD CHANGES.—Each State
 25 shall maintain for at least 2 years, and shall make

1 available for public inspection (and, where available,
2 photocopying at a reasonable cost), including in elec-
3 tronic form and through electronic methods, all
4 records of changes to voter records, including remov-
5 als, the reasons for removals, and updates.

6 (2) DATABASE MANAGEMENT STANDARDS.—

7 Not later than 1 year after the date of enactment
8 of this Act, the Director of the National Institute of
9 Standards and Technology, in consultation with
10 State and local election officials representing geo-
11 graphic and socio-economic diversity, and the Elec-
12 tion Assistance Commission, shall, after providing
13 the public with notice and the opportunity to com-
14 ment—

15 (A) establish standards governing the com-
16 parison of data for voter registration list main-
17 tenance purposes, identifying as part of those
18 standards the specific data elements, the
19 matching rules used, and how a State may use
20 the data to determine and deem that an indi-
21 vidual is ineligible under State law to vote in an
22 election, or to deem a record to be a duplicate
23 or outdated;

24 (B) ensure that the standards developed
25 under this paragraph are uniform and non-

1 discriminatory and are applied in a uniform and
2 nondiscriminatory manner;

3 (C) not later than 45 days after the dead-
4 line for public notice and comment;

5 (i) publish the standards developed
6 under this paragraph on the website of the
7 National Institute of Standards and Tech-
8 nology; and

9 (ii) make the standards developed
10 under this paragraph available in written
11 form upon request; and

12 (D) ensure that the standards developed
13 under this paragraph are maintained and up-
14 dated in a manner that reflects innovations and
15 best practices in the security of database man-
16 agement.

17 (3) SECURITY POLICY.—

18 (A) IN GENERAL.—Not later than 1 year
19 after the date of enactment of this Act, the Di-
20 rector of the National Institute of Standards
21 and Technology shall, after providing the public
22 with notice and the opportunity to comment,
23 publish privacy and security standards for voter
24 registration information not later than 45 days

1 after the deadline for public notice and com-
2 ment.

3 (B) REQUIREMENT.—The standards devel-
4 oped under this paragraph shall require the
5 chief State election official of each State to
6 adopt a policy that shall specify—

7 (i) each class of users who have au-
8 thorized access to the computerized state-
9 wide voter registration list—

10 (I) specifying for each class the
11 permission and levels of access to be
12 granted; and

13 (II) setting forth other safe-
14 guards to protect the privacy, secu-
15 rity, and accuracy of the information
16 on voter registration lists; and

17 (ii) security safeguards to protect per-
18 sonal information transmitted through—

19 (I) the information transmittal
20 processes of section 5A(b) of the Na-
21 tional Voter Registration Act of 1993;

22 (II) any telephone interface;

23 (III) the maintenance of the
24 voter registration database; and

1 (IV) any audit procedure to track
2 access to the system.

3 (C) MAINTENANCE AND UPDATING.—The
4 Director of the National Institute of Standards
5 and Technology shall ensure that the standards
6 developed under this paragraph are maintained
7 and updated in a manner that reflects innova-
8 tions and best practices in the privacy and secu-
9 rity of voter registration information.

10 (4) STATE COMPLIANCE WITH NATIONAL
11 STANDARDS.—

12 (A) CERTIFICATION.—Each chief State
13 election official of the State shall annually file
14 with the Election Assistance Commission a
15 statement certifying to the Director of the Na-
16 tional Institute of Standards and Technology
17 that the State is in compliance with the stand-
18 ards developed under paragraphs (2) and (3),
19 which requirement may be met if the chief
20 State election official submits to the Election
21 Assistance Commission a statement that states,
22 “_____ hereby certifies that _____
23 is in compliance with the standards referred to
24 in paragraphs (2) and (3) of section 6(d) of the
25 Register America to Vote Act of 2022.”, with

1 the blank spaces to be completed with the name
2 of the relevant State.

3 (B) PUBLICATION OF POLICIES AND PRO-
4 CEDURES.—The chief State election official of a
5 State shall—

6 (i) publish on the website of the chief
7 State election official the policies and pro-
8 cedures established under this section; and

9 (ii) make those policies and proce-
10 dures available in written form upon public
11 request.

12 (C) FUNDING DEPENDENT ON CERTIFI-
13 CATION.—If a State does not timely file the cer-
14 tification required under subparagraph (A), it
15 shall not receive any payment under this Act
16 for the upcoming fiscal year in which the State
17 fails to make such certification.

18 (D) COMPLIANCE OF STATES THAT RE-
19 QUIRE CHANGES TO STATE LAW.—In the case
20 of a State that requires State legislation to
21 carry out an activity covered by any certifi-
22 cation submitted under this paragraph—

23 (i) for a period of not more than 2
24 years, the State shall be permitted to make
25 the certification notwithstanding that the

1 legislation has not been enacted on the
2 date on which the State submits the cer-
3 tification; and

4 (ii) the State shall submit an addi-
5 tional certification once such legislation is
6 enacted.

7 (e) RESTRICTIONS ON USE OF INFORMATION.—No
8 person acting under color of law may discriminate against
9 any individual based on, or use for any purpose other than
10 voter registration, election administration, juror selection,
11 or enforcement relating to an election crime, any of the
12 following:

13 (1) Voter registration records.

14 (2) The declination of an individual to register
15 to vote or complete an affirmation of citizenship
16 under section 5A of the National Voter Registration
17 Act of 1993.

18 (3) The voter registration status of an indi-
19 vidual.

20 (f) PROHIBITION ON THE USE OF VOTER REGISTRA-
21 TION INFORMATION FOR COMMERCIAL PURPOSES.—

22 (1) IN GENERAL.—Information collected under
23 this Act or the amendments made by this Act shall
24 not be used for commercial purposes.

1 (2) DISSEMINATION FOR POLITICAL PUR-
2 POSES.—Nothing in this subsection shall be con-
3 strued to prohibit the transmission, exchange, or dis-
4 semination of information for political purposes, in-
5 cluding the support of campaigns for election for
6 Federal, State, or local public office or the activities
7 of political committees (including committees of po-
8 litical parties) under the Federal Election Campaign
9 Act of 1971 (52 U.S.C. 30101 et seq.).

10 **SEC. 7. PAYMENTS AND GRANTS.**

11 (a) IN GENERAL.—The Election Assistance Commis-
12 sion shall make grants to each eligible State under sub-
13 section (b) to assist the State in implementing the require-
14 ments of this Act and the amendments made by this Act
15 (or, in the case of an exempt State, in implementing the
16 existing automatic voter registration program of the ex-
17 empt State or expanding the automatic voter registration
18 program of the State in a manner consistent with the re-
19 quirements of this Act) with respect to the offices of the
20 State motor vehicle authority and any other offices of the
21 State at which the State offers voter registration services
22 as described in this Act and the amendments made by this
23 Act.

24 (b) ELIGIBILITY; APPLICATION.—A State is eligible
25 to receive a grant under this section if the State submits

1 to the Election Assistance Commission, at such time and
 2 in such form as the Election Assistance Commission may
 3 require, an application containing—

4 (1) a description of the activities the State will
 5 carry out with the grant;

6 (2) an assurance that the State shall carry out
 7 such activities without partisan bias and without
 8 promoting any particular point of view regarding
 9 any issue; and

10 (3) any other information and assurances as
 11 the Election Assistance Commission may require.

12 (c) AMOUNT OF GRANT; PRIORITIES.—

13 (1) AMOUNT.—The Commission shall determine
 14 the amount of a grant made to an eligible State
 15 under this section.

16 (2) PRIORITIES.—In determining the amount of
 17 a grant, the Election Assistance Commission shall
 18 give priority to providing funds for those activities
 19 that are most likely to accelerate compliance with
 20 the requirements of this Act (or, in the case of an
 21 exempt State, that are most likely to enhance the
 22 ability of the exempt State to automatically register
 23 individuals to vote through the existing automatic
 24 voter registration program of the exempt State), in-
 25 cluding—

1 (A) investments supporting electronic in-
2 formation transfer, including electronic collec-
3 tion and transfer of signatures, between appli-
4 cable agencies (as defined in section 5A of the
5 National Voter Registration Act of 1993) and
6 the appropriate State election officials;

7 (B) updates to online or electronic voter
8 registration systems already operating as of the
9 date of the enactment of this Act;

10 (C) introduction of online voter registra-
11 tion systems in jurisdictions in which those sys-
12 tems did not previously exist; and

13 (D) public education on the availability of
14 new methods of registering to vote, updating
15 registration, and correcting registration.

16 (d) EXEMPT STATE.—For purposes of this section,
17 the term “exempt State”—

18 (1) has the meaning given that term under sec-
19 tion 5A(f)(2) of the National Voter Registration Act
20 of 1993; and

21 (2) includes a State in which, under law in ef-
22 fect on or after the date of the enactment of the Na-
23 tional Voter Registration Act of 1993, there is no
24 voter registration requirement for any voter in the
25 State with respect to an election for Federal office.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) AUTHORIZATION.—There are authorized to
3 be appropriated to carry out this section—

4 (A) \$3,000,000,000 for fiscal year 2023;
5 and

6 (B) such sums as may be necessary for
7 each succeeding fiscal year.

8 (2) CONTINUING AVAILABILITY OF FUNDS.—

9 Any amounts appropriated pursuant to this sub-
10 section shall remain available without fiscal year lim-
11 itation until expended.

12 **SEC. 8. MISCELLANEOUS PROVISIONS.**

13 (a) ENFORCEMENT.—Section 11 of the National
14 Voter Registration Act of 1993 (52 U.S.C. 20510 et seq.),
15 relating to civil enforcement and the availability of private
16 rights of action, shall apply with respect to this Act in
17 the same manner as such section applies to the National
18 Voter Registration Act of 1993 (52 U.S.C. 20510 et seq.).

19 (b) RELATION TO OTHER LAWS.—Except as pro-
20 vided, nothing in this Act or the amendments made by
21 this Act may be construed to authorize or require conduct
22 prohibited under, or to supersede, restrict, or limit the ap-
23 plication of any of the following:

24 (1) The Voting Rights Act of 1965 (52 U.S.C.
25 10301 et seq.).

1 (2) The Uniformed and Overseas Citizens Ab-
2 santee Voting Act (52 U.S.C. 20301 et seq.).

3 (3) Except as provided by the amendment made
4 under section 5 of this Act, the National Voter Reg-
5 istration Act of 1993 (52 U.S.C. 20501 et seq.).

6 (4) The Help America Vote Act of 2002 (52
7 U.S.C. 20901 et seq.).

8 (5) The Americans with Disabilities Act of
9 1990 (42 U.S.C. 12101 et seq.).

10 **SEC. 9. EFFECTIVE DATE.**

11 (a) IN GENERAL.—Except as provided in subsection
12 (b), this Act and the amendments made by this Act shall
13 apply on and after January 1, 2024.

14 (b) WAIVER.—If a State certifies to the Elections As-
15 sistance Commission not later than January 1, 2024, that
16 the State will not meet the deadline described in sub-
17 section (a) because it would be impracticable to do so and
18 includes in the certification the reasons for the failure to
19 meet that deadline, subsection (a) shall apply to the State
20 as if the reference in such subsection to “January 1,
21 2024” were a reference to “January 1, 2026”.

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