

118TH CONGRESS  
1ST SESSION

# H. R. 3072

To prohibit agencies of the government from soliciting or entering into agreements with nongovernmental organizations to conduct voter registration or voter mobilization activities on the property or website of the agency or from using Federal funds to carry out activities directed under Executive Order 14019, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2023

Ms. TENNEY (for herself, Mr. POSEY, Mr. CLYDE, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on the Judiciary, Oversight and Accountability, Science, Space, and Technology, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit agencies of the government from soliciting or entering into agreements with nongovernmental organizations to conduct voter registration or voter mobilization activities on the property or website of the agency or from using Federal funds to carry out activities directed under Executive Order 14019, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting Free and  
3 Fair Elections Act”.

4 **SEC. 2. PROHIBITING PROMOTION OF VOTER REGISTRA-**  
5 **TION BY AGENCIES.**

6 (a) AGREEMENTS WITH NONGOVERNMENTAL ORGA-  
7 NIZATIONS.—None of the funds made available for the sal-  
8 aries and expenses of an agency may be used to solicit  
9 or enter into an agreement with a nongovernmental orga-  
10 nization to conduct voter registration or voter mobilization  
11 activities, including registering voters or providing any  
12 person with voter registration materials, absentee or vote-  
13 by-mail ballot applications, voting instructions, or can-  
14 didate-related information, on the property or website of  
15 the agency.

16 (b) ACTIVITIES UNDER EXECUTIVE ORDER 14019.—

17 (1) DELAY IN IMPLEMENTATION.—

18 (A) DELAY.—Except as provided in sub-  
19 paragraph (B), none of the funds made avail-  
20 able for the salaries and expenses of an agency  
21 may be used to implement activities directed  
22 under Executive Order 14019 (86 Fed. Reg.  
23 13623) until—

24 (i) in the case of an agency that is re-  
25 quired to submit a report to the appro-  
26 priate congressional committees under

1 paragraph (2)(A), 180 days after the agen-  
2 cy submits the report; or

3 (ii) in the case of an agency that is  
4 required to submit a report to the appro-  
5 priate congressional committees under  
6 paragraph (2)(B), the date on which the  
7 agency submits the report.

8 (B) EXCEPTION.—Subparagraph (A) shall  
9 not apply to any activity described in section  
10 7(e) of the National Voter Registration Act of  
11 1993 (52 U.S.C. 20506(c)).

12 (2) REPORT.—Not later than 30 days after the  
13 date of enactment of this Act, the head of each  
14 agency shall submit to the appropriate congressional  
15 committees—

16 (A) a copy of the strategic plan of the  
17 agency for promoting voter registration and  
18 voter participation under section 3(b) of Execu-  
19 tive Order 14019 (86 Fed. Reg. 13623) that  
20 the agency developed or submitted to the As-  
21 sistant to the President for Domestic Policy; or

22 (B) if the agency did not develop or submit  
23 a plan described in subparagraph (A) to the As-  
24 sistant to the President for Domestic Policy, a  
25 certification signed by the head of the agency

1           that the agency did not develop or submit such  
2           a plan.

3           (c) EFFECTIVE DATE.—Except as provided in sub-  
4 section (b)(2), this section shall apply with respect to fiscal  
5 year 2023 and each succeeding fiscal year.

6 **SEC. 3. ADDITIONAL REPORT ON VOTER REGISTRATION**  
7 **AND MOBILIZATION.**

8           Not later than 30 days after the date of enactment  
9 of this Act, the head of each agency shall submit to the  
10 appropriate congressional committees a report describing  
11 the activities carried out by the agency pursuant to sec-  
12 tions 3 and 4 of Executive Order 14019 (86 Fed. Reg.  
13 13623).

14 **SEC. 4. PROHIBITING VOTER REGISTRATION AND MOBILI-**  
15 **ZATION IN FEDERAL WORK-STUDY PRO-**  
16 **GRAMS.**

17           Section 443(b)(1) of the Higher Education Act of  
18 1965 (20 U.S.C. 1087–53(b)(1)) is amended—

19           (1) in subparagraph (C), by striking “and”;

20           (2) by redesignating subparagraph (D) as sub-  
21 paragraph (E); and

22           (3) by inserting after subparagraph (C) the fol-  
23 lowing:

1           “(D) does not involve registering or mobi-  
2           lizing voters on or off the campus of the institu-  
3           tion; and”.

4 **SEC. 5. DEFINITIONS.**

5       In this Act:

6           (1) **AGENCY.**—The term “agency” has the  
7           meaning given the term in section 3502(1) of title  
8           44, United States Code, except that for purposes of  
9           section 2(b) of this Act such term does not include  
10          an independent regulatory agency as defined in sec-  
11          tion 3502(5) of title 44, United States Code.

12          (2) **APPROPRIATE CONGRESSIONAL COMMIT-**  
13          **TEES.**—The term “appropriate congressional com-  
14          mittees” means—

15                (A) the Committee on Rules and Adminis-  
16                tration of the Senate;

17                (B) the Committee on the Judiciary of the  
18                Senate;

19                (C) the Committee on House Administra-  
20                tion of the House of Representatives; and

21                (D) the Committee on the Judiciary of the  
22                House of Representatives.

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