



SPEAKER OF THE HOUSE
MIKE JOHNSON



**TO RESTORE CONFIDENCE
IN U.S. ELECTIONS,
CONGRESS MUST PASS
THE “SAFEGUARD AMERICAN
VOTER ELIGIBILITY”
(SAVE) ACT**

June 27, 2024





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EXECUTIVE SUMMARY

- While falsely claiming the 2016 was “stolen” due to “foreign election interference,” Democrats ignore the real threat of foreign election interference posed when noncitizens are allowed to register and vote in U.S. elections.
- Lax voter registration laws make it possible for noncitizens to register and vote in federal elections while campaign finance loopholes allow noncitizens to fund U.S. election activities – both of which can affect the outcome of our elections.
- There is ample evidence that noncitizens are voting in U.S. elections:
 - A 2014 study that analyzed the 2008 and 2010 elections concluded that not only had noncitizens illegally voted in U.S. elections but also that the votes of noncitizens likely determined the outcome in certain races.
 - In states like Massachusetts, Ohio, and Virginia, noncitizens have recently been removed from the voting rolls – and many of those noncitizens had voted.
 - The Arizona Secretary of State website is currently falsely promoting the idea that individuals who fail to present proof of citizenship when registering will “be eligible to vote in federal elections.”
- Recently, the House Committee on Administration reported the Safeguard American Voter Eligibility (SAVE) Act (H.R. 8281), which will:
 - Require an individual to provide proof of citizenship when registering to vote in federal elections; and
 - Provide states with access to existing federal databases so they can clean up their voter registration rolls and remove noncitizens from the rolls.
- Congress must pass the SAVE Act to close the loopholes that allow noncitizen registration and, in turn, voting; to enhance election security; minimize the risk of foreign interference; and restore Americans’ confidence in U.S. elections.





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INTRODUCTION

There is irrefutable evidence that noncitizens have been illegally registering to vote and have illegally voted in U.S. elections.[1] One study that analyzed data from the 2008 and 2010 elections even concluded that it was highly likely that the outcome in certain races was determined by the votes of noncitizens. This evidence, therefore, shows there has clearly been a notable impact on U.S. elections as a result of noncitizen voting, even though it is already illegal under federal law.

The threat to the integrity of U.S. elections is a result of poorly designed provisions of the National Voter Registration Act (NVRA also known as Motor-Voter), a federal law enacted in 1993. The NVRA does not require states to ask for proof of citizenship when registering an individual to vote in federal elections. Rather, the NVRA relies on individuals to merely attest they are a citizen and eligible to vote. In 44 states, if an individual completes and signs the universal NVRA form (Form), then the state is required by federal law to register that person to vote.

There is a danger that the NVRA loophole, combined with the Biden Administration's willful disregard of U.S. immigration law that has allowed the U.S. foreign-born population to grow by 5.1 million[2] people in the last two years alone and by 6.6 million since President Biden took office, could lead to millions of noncitizens registering to vote. Should this happen, it would jeopardize the integrity of our elections, turning the outcome of the 2024 election over to foreign persons and potentially even foreign interests.

Democrats and the media have downplayed the threat to election integrity that a lack of citizenship verification poses when an individual registers to vote in federal elections. Democrats and their media apparatchik falsely assert there are strict requirements already in place when an individual uses the NVRA Form. For example, a recent Associated Press article asserted the following:

[A]nyone registering provides their Social Security number, driver's license or state ID, [David] Becker [executive director of the Center for Election Innovation and Research] said. That means they already have shown the government proof of citizenship to receive those documents, or if they are a noncitizen with a state ID or Social Security number, they have been clearly classified that way in the state's records.[3]

Unfortunately, this statement is not true.

This paper will provide an overview of the NVRA and explain how millions of noncitizens, aided by the lax border security policies of the Biden Administration, have been able to obtain a Social Security number (SSN), which could aide them in illegally registering and illegally voting in federal elections. Further, this paper will provide information from a key study and state records that show that noncitizens have been illegally voting in U.S. elections. Finally, this paper will detail the specific requirements of each state when an individual registers

[1] See Committee on House Administration report on the SAVE Act (118th Congress, H.R. 8281), page 4 (detailing evidence of non-citizen voting occurring at least as far back as a California congressional race in 1996).

[2] Center for Immigration Studies, "Foreign-Born Population Grew by 5.1 Million in the Last Two Years: The largest two-year increase ever recorded," May 13, 2024. See [here](#).

[3] Associated Press, "Noncitizen voting, already illegal in federal elections, becomes a centerpiece of 2024 GOP messaging," May 18, 2024. See [here](#).





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to vote using the NVRA Form and explain how the vast majority of states do not require an individual to even provide their full SSN when using the Form and, even if states did, how that is insufficient to prove citizenship.

ANALYSIS

I. Overview of the National Voter Registration Act

Under the NVRA, states are required to provide voter registration materials to anyone who: (1) shows up at a state department of motor vehicles (DMV) office or equivalent (for example, in Michigan the Secretary of State performs the functions of a DMV); (2) shows up at a state-based office that provides public assistance (like a state welfare office) or (3) requests a mail-in voter registration form. Further, the state chief elections officer must register an individual if he or she completes, signs, and returns the NVRA voter registration form. There is, however, no requirement that an individual present actual proof of identity or citizenship when submitting a signed NVRA voter registration form.

In addition, while the Welfare Reform Act of 1996 generally prevents aliens from qualifying for federally funded public benefits (commonly called welfare – such as TANF, WIC, etc.), there are many exceptions to the general prohibition. For example, a person who is admitted as an asylee is eligible for welfare. Also, aliens paroled into the U.S. for a period in excess of one year are eligible for certain welfare benefits. Department of Homeland Security (DHS) Secretary Alejandro Mayorkas has paroled an estimated 1.5 million aliens into the U.S., making most immediately eligible for certain welfare benefits. When paroled aliens go to the welfare office to apply for benefits, they could be given the Form to register to vote. The 2021 Biden Administration Executive Order that directs federal employees to partner with “civic groups” to register underserved populations also heightens the risk that noncitizens will register and then vote in the 2024 Presidential election.[4]

II. Biden Administration Actions and Democratic Policies Present a Threat to the Integrity of U.S. Elections

As noted above, the Associated Press has incorrectly suggested that registering to vote for federal elections is secure because the system relies on SSNs. The Biden Administration’s efforts to dismantle border security, and related policies, have enabled millions of aliens to enter the country, violate our immigration laws, and exploit a system to obtain an SSN. President Biden recently referred to the flood of aliens crossing the border as “voters.”[5] One state Democratic official is promoting the idea that individuals are “eligible” to vote in federal elections – even if they are not a citizen, unable to prove citizenship, and, in fact, ineligible to vote under federal law.[6]

[4] See Committee on House Administration report on the SAVE Act (118th Congress, H.R. 8281), page 4 (detailing evidence of non-citizen voting occurring at least as far back as a California congressional race in 1996).

[5] Center for Immigration Studies, “Foreign-Born Population Grew by 5.1 Million in the Last Two Years: The largest two-year increase ever recorded,” May 13, 2024. See here.

[6] Associated Press, “Noncitizen voting, already illegal in federal elections, becomes a centerpiece of 2024 GOP messaging,” May 18, 2024. See here.





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How does lax border security and interior enforcement allow noncitizens to obtain an SSN?

Asylee Eligibility for a Social Security Number. Aliens who apply for asylum become eligible for employment authorization documents (EAD). According to the United States Citizenship and Immigration Service (USCIS), an alien is “not eligible to receive an EAD until [his/her] asylum application has been pending for at least... a total of 180 days....”[7] In other words, an alien can file an application for asylum and, even if the basis for asylum is fraudulent and before the petition is adjudicated, the alien will be eligible to apply for work authorization. The alien could receive such authorization as soon as 180 days after filing the original asylum application.

USCIS also advises aliens on its website: “To apply for employment authorization, you must file a Form I-765, Application for Employment Authorization.”[8] On this form, the alien can also simultaneously apply for an SSN. The Social Security Administration (SSA), in a document entitled “Apply for your Social Security Number While Applying Your Work Permit,” advises aliens of the following:

To save you a trip to the Social Security Office you can now apply for your SSN... on the same application [used] to apply for permission to work.... That application is... Form I-765, Application for Employment Authorization. If USCIS approves your application... and you completed the section... to request an SSN card, then USCIS will send SSA the data we need to issue your SSN card.[9]

Accordingly, an alien can obtain an SSN without any need to engage with the state, or as the Associated Press has falsely asserted, to be “classified” as an alien in state records.

Parolee Eligibility for a Social Security Number. Similarly, according to USCIS, “Parolees in the United States may seek job opportunities if they are authorized to work. Generally, after an individual files Form I-765, Application for Employment Authorization, and receives an Employment Authorization Document (EAD), they are authorized to work.”[10] In other words, parolees released into the U.S. by the Biden Administration (most in violation of statutory restrictions[11]), are able to obtain EAD, including an SSN, without being “classified” as an alien in state records. Parolees, unlike asylees, are immediately eligible for work authorization. The Biden Administration has paroled an estimated 1.5 million aliens into the country.[12]

Many Visa Overstays Have Social Security Numbers. Many aliens come to the U.S. on a work visa. As such, they receive an SSN. In Fiscal Year 2022, Customs and Border Protection “calculated a total overstay rate of 3.67 percent,

[7] USCIS website, Home > Humanitarian > Refugees and Asylum > Asylum, Permission to Work in the United States. See [here](#).

[8] Id.

[9] Social Security Administration, “Apply for your Social Security Number While Applying Your Work Permit,” available on USCIS website [here](#).

[10] USCIS website, Home > Humanitarian > Employment Resources for Parolees in the United States. See [here](#).

[11] House Judiciary Committee, “How the Biden Administration’s Lax Immigration Enforcement Allows Dangerous Criminal Aliens to Run Free in American Communities,” April 16, 2024. See [here](#).

[12] Associated Press, “Biden Administration has admitted more than 1 million migrants into U.S. under parole policy Congress is considering restricting,” January 22, 2024. See [here](#). Center for Immigration Studies, “Biden’s Parole in Place Plan Is a Solution in Search of a Problem,” April 30, 2024. See [here](#).





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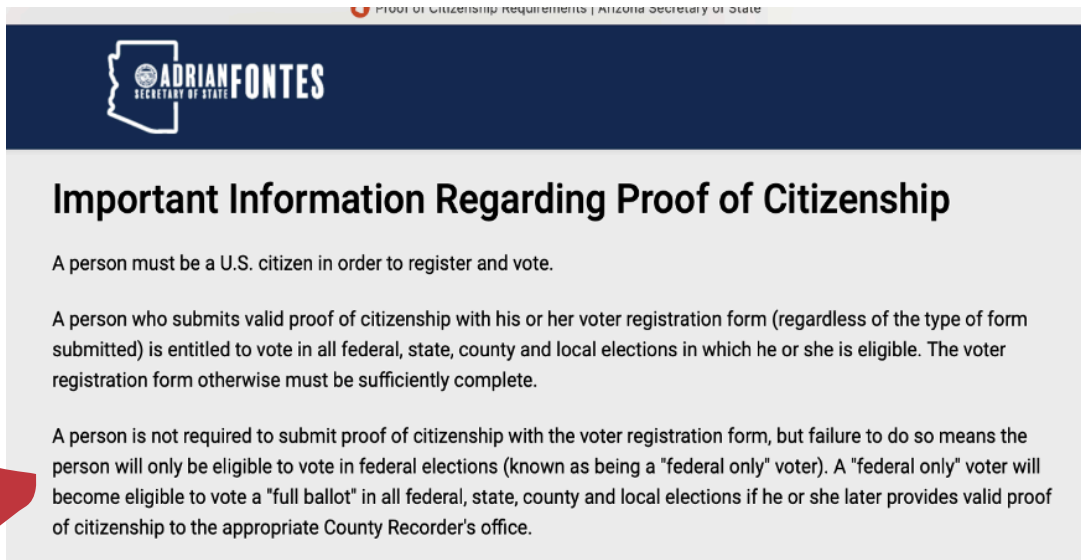


or 853,955 overstay events.”[13] Accordingly, over 850,000 aliens overstayed their visas in a single year. While not all were work-authorized, many were and, as such, those who were have an SSN. In fact, as Newsweek concluded in 2021, millions of illegal aliens in the United States who overstayed their work visas have an SSN.[14]

How are states promoting the false notion that noncitizens are “eligible” to vote?

Arizona Invites Foreign Election Interference. As of June 17, 2024, the Arizona Secretary of State’s (SOS) website contained the following statement relative to voter registration: *“A person is not required to submit proof of citizenship with the voter registration form, but failure to do so means the person will only **be eligible to vote in federal elections**....”*[15]

Screenshot from Arizona SOS Website



It is worth noting that this statement is unqualified. The Arizona SOS does not make clear a person is required by law to be a citizen in order to vote in a federal election. Nor does the SOS indicate eligibility is subject to other requirements of law. A noncitizen remains ineligible to vote in federal elections as a matter of federal law. However, the Arizona Secretary of State ignores this, fails to present fully accurate information, and seems to be inviting noncitizens to vote in federal elections in contravention of federal law.

[13] Department of Homeland Security, “Fiscal Year 2022 Entry/Exit Overstay Report,” June 21, 2023 (note: not all overstays cited in this report involve individuals who were work authorized, the overall number could include individuals on a tourist visa or student visa, for example). See [here](#).

[14] Newsweek, “Fact Check: Will Millions of Illegal Immigrations Get Stimulus Checks, as Ted Cruz Says?,” updated March 11, 2021. See [here](#).

[15] Arizona Secretary of State website: Important Information Regarding Proof of Citizenship. See [here](#).





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III. Evidence Shows Noncitizens are Illegally Voting in U.S. Elections

What evidence do we have that noncitizens have voted in U.S. elections?

Massachusetts. Earlier this year, in Massachusetts, Boston Election Department officials disclosed to the Public Interest Legal Foundation that the city had removed 70 noncitizens from the city's election rolls.[16] Among those 70 noncitizens, 22 (31.4%) had voted in U.S. elections. Removing noncitizens from Boston's election rolls is subject to a high bar. An individual must affirmatively state they are a noncitizen in response to the city's annual census.[17] The city's census, or "annual resident listing," asks a series of questions of Boston residents. Residents are required to answer these questions, and identify "citizenship status." Only when an individual responds that they are not a U.S. citizen are they removed from the voter rolls. This methodology of confirming citizenship and eligibility to vote is not perfect, however, it can serve as a useful tool to prevent some noncitizens from voting.

Ohio. In May 2024, Ohio Secretary of State Frank LaRose ordered 137 noncitizens removed from Ohio's voter rolls. [18] Ohio law imposes a very high bar before a county board of elections can remove someone from the rolls due to noncitizenship. First, an individual must have "fail[ed] to respond" to "two notices from the Secretary of State's office" and, second, each individual must have "notified the Ohio Bureau of Motor Vehicles (BMV) on at least two occasions that they are not a United States citizen" in between "registering to vote, updating their voter registration or voting." [19] Third, the noncitizen "must also have either registered to vote, submitted a voter registration change of residence or change of name form, or voted... in between... instances of submitting the required documentation." [20] Fourth, the individual is notified they were removed from the rolls. This process makes it incredibly difficult, requiring at least five separate contacts with state election officials including two self-admissions of noncitizenship, before an individual can be removed from the rolls due to noncitizenship. Based on this standard, it is highly likely many more noncitizens remain registered to vote in Ohio, which is why Ohio officials have called on President Biden to provide access to federal databases so they can further clean up their rolls. Fox News described these databases as follows: "[USCIS]' SAVE database... holds troves of citizenship data for individuals entering the U.S." along with "citizenship information from [DHS], the Social Security Administration, as well as federal district court records disclosing individuals disqualified from jury service due to a lack of [U.S.] citizenship." [21] Notably, the SAVE Act (H.R. 8281) would require federal agencies to provide election officials with access to these same databases, giving states the ability to clean up their rolls and to secure U.S. elections.

Virginia. As of May 2023, Virginia Department of Elections officials have removed 1,481 registrations from its official voter rolls with a reported reason for removal due to "noncitizen status." [22] Of those noncitizens who were removed, 335 individuals (or 22.6%) had cast a ballot in Virginia elections over the prior four years. In total, these

[16] Daily Signal, "Here's Where This Blue State Could Be a National Model for Election Integrity," May 13, 2024. See [here](#).

[17] Public Interest Legal Foundation, "Does Boston Have the Fix for Foreign Nationals Voting in U.S. Elections?" May 2024. See [here](#).

[18] FoxNews, Anders Hagstrom, "Ohio Purges 'noncitizens' from State Voter Rolls, Calls on Biden Admin for Data Ahead of 2024 Election," May 14, 2024. See [here](#).

[19] Ohio Secretary of State, 2024-08, "Removal of noncitizens from Voter Registration Databases," May 14, 2024. See [here](#).

[20] Id.

[21] See Ohio Purges.

[22] Erin Marie Joyce, "VA Records Show 'noncitizens' Voting," March 22, 2024. See [here](#).





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noncitizens cast 838 ballots. In response to inquiries, the Virginia Attorney General's office said it had no prosecution records related to this illegal voting even though voting illegally is a Class 6 felony in Virginia.

Other States. There is also evidence that aliens have registered, and in some cases voted, in other states as well. Leaders in election integrity have documented cases in other states such as Arizona, California, Illinois, New Jersey, North Carolina, and Pennsylvania.[23]

Democrat Amnesty Legislation. Congressional Democrats continue to downplay the threat posed by noncitizen voting. Last month, the Committee on House Administration (CHA), which has jurisdiction over "Federal elections generally" and "oversight of federal elections," held a hearing entitled "American Confidence in Elections." During the hearing, CHA Ranking Member Joseph Morelle of New York, the committee's top Democrat, stated: "noncitizen voting... does not happen." [24]

This bold assertion, however, is contradicted by Democrats' legislative history. Section 212 of the Immigration and Nationality Act (INA) provides: "Any alien who has voted in violation of any Federal, State, or local constitutional provision, statute, ordinance, or regulation is inadmissible." [25] In other words, an alien who illegally voted in a U.S. election is not allowed to be formally "admitted," meaning to lawfully enter the United States.

Over the years, when Democrats have introduced legislation to give illegal aliens immigration amnesty, their bills have waived that inadmissibility provision. As such, these bills indicate that Democrats not only know that noncitizens have been voting in U.S. elections in violation of the law but that the problem is so pervasive that, in order to accomplish any large-scale immigration amnesty, it is necessary to also provide amnesty for any consequences of illegally voting.

This Congress, Rep. Sylvia Garcia of Texas has introduced the American Dream and Promise Act of 2023 (H.R. 16). [26] Section 102(b)(2) of Garcia's legislation includes a provision entitled "waiver of grounds of inadmissibility" which would allow the Secretary of Homeland Security to waive grounds of inadmissibility, including "paragraph... (10)(D) of section 212(a)" – the provision that bars admission for aliens who have illegally voted.

Without this provision, an alien who illegally voted, would be ineligible for Garcia's proposed amnesty. (This provision also waives the grounds of inadmissibility for a number of other serious violations of federal law, but those are unrelated to noncitizen voting).

[23] Daily Signal, "Despite Liberal's Hysterical Denials, Aliens are Registering and Voting," June 6, 2024. See [here](#).

[24] Committee on House Admin, Hearing: American Confidence in Elections: Preventing Noncitizen Voting and Other Foreign Interference, May 16, 2024. Hearing video available on YouTube [here](#).

[25] Section 212 is codified at 8 U.S.C. 1182. See 8 U.S.C. 1182(a)(10)(D)(i). Text available [here](#).

[26] American Dream and Promise Act of 2023 (H.R. 16) introduced by Rep. Sylvia R. Garcia (D-TX-29) on June 15, 2023. See [here](#) for bill text.





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While Rep. Morelle insists “non-citizen voting... does not happen,” he is a cosponsor of H.R. 16, legislation that shows noncitizen voting is occurring. Rep. Morelle is joined by every other CHA Democrat – Reps. Terri Sewell (AL), Norma Torres (CA), and Derek Kilmer (WA) – as cosponsors of Garcia’s amnesty bill. So, while these Democrats serve on the House’s principal committee charged with election integrity, they simultaneously: (1) ignore the threat of noncitizen voting; (2) support legislation acknowledging the practice; and (3) support legislation that rewards noncitizens who illegally voted by waiving penalties and eventually giving them legal status. Reps. Garcia and CHA Democrats are joined by 194 other Democrats who have cosponsored H.R. 16.[27] For a full list of H.R. 16’s cosponsors, see Exhibit “B” below.



Democrats Support Non-Citizen Voting. During the 118th Congress, Democrats have actively opposed other legislation designed to protect the integrity of U.S. elections. Democrats unanimously opposed the Equal Representation Act (H.R. 7109) which would have based congressional apportionment on citizenship.[28] Rep. Yvette Clarke of New York recently said, "I need more people in my district just for redistricting purposes" and argued in favor of allowing noncitizens to affect redistricting.[29]

On May 23, 2024, pursuant to the District Clause of the Constitution (Article 1, Section 8, Clause 17) which gives Congress authority over Washington, D.C.’s local affairs, the House considered legislation (H.R. 192) to protect voting rights by limiting voting in the nation’s capital only to U.S. citizens. When the House considered this bill, 143 Democrats voted against the measure.[30] As such, these votes show Democrats WANT noncitizen voting and WANT noncitizens’ presence in the United States to affect Congressional representation.

What evidence exists that noncitizen voting affected the outcome of U.S. elections?

Study of the 2008 and 2010 Elections. In 2014, researchers studied the 2008 and 2010 elections and concluded the following: [31]

[27] See cosponsor list for H.R. 16, available [here](#).

[28] Equal Representation Act (H.R. 7109). See text [here](#) and vote results [here](#).

[29] See tweet with video of Rep. Clarke’s statement [here](#).

[30] H.R. 192. See text [here](#) and vote results [here](#).

[31] Richman, Chattha, and Earnest, “Do noncitizens Vote in U.S. Elections?,” Electoral Studies, Vol. 36, December 2014, pages 149-157. See [here](#) for a copy of the study abstract (PDF copy is on file in author’s office).





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We find that some noncitizens participate in U.S. elections, and that this participation has been large enough to change meaningful election outcomes including Electoral College votes, and Congressional elections. Noncitizen votes likely gave Senate Democrats the pivotal 60th vote needed to overcome filibusters in order to pass health care reform and other Obama administration priorities in the 111th Congress.

The individuals who performed this study stated their “best estimate” was that 6.4 percent of noncitizens had voted in the 2008 general election. The study also concluded that this was likely enough to change the outcome of the Presidential election in North Carolina that year – meaning noncitizen voting allowed Barack Obama, rather than John McCain, to win the Tarheel State’s 15 Electoral College votes (where Obama’s margin of victory was only 14,177 votes). Among noncitizens who admitted to voting in 2008, the study found noncitizens favored Obama by a ratio of 4:1 and in congressional races favored Democratic candidates 3:1.

Further, the study concluded that:

In 2008 there were 22 House races and two Senate races in which the Democratic candidate’s winning margin was small enough that less than 100 percent turnout among noncitizens could account for Democratic victory and in 2010 there were 24 such House districts and three Senate races.

If the United States were to see a similar turnout percentage of noncitizens illegally voting in the 2024 general election, noncitizens would deprive the American people of the ability to determine our next President. The current foreign-born population in the U.S. is 51.6 million,[32] of which 61.5 percent (or roughly 31.7 million) are not citizens, with roughly 77 percent being of working age.[33] The foreign-born population has increased by 5.1 million in the last two years alone, with most not having had sufficient time to naturalize.

If 6.4 percent of all noncitizens were to vote in the 2024 general election (which is the same rate as noncitizen voting found in the 2014 study) more than two million noncitizens (2,028,800) would end up casting a ballot. If that same percent of the 5.1 million noncitizens who arrived in the U.S. over the past two years were to vote, that would equal 326,400 noncitizen votes. Either way, those numbers are sufficient enough to determine the outcome of the 2024 Presidential election.

It is worth keeping in mind that the Biden Administration has largely controlled where newly arrived aliens crossing the border – or as President Biden has called them “voters” – have been relocated once they arrive in the U.S.[34]

[32] Migration Policy Institute, “Frequently Requested Statistics on Immigrants and Immigration in the United States,” March 13, 2024 (working age is defined as ages 18 to 64). See [here](#).

[33] Migration Policy Institute, “Frequently Requested Statistics on Immigrants and Immigration in the United States,” March 13, 2024. See [here](#).

[34] See, Biden Roasted for Freudian Slip.





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IV. NVRA Voter Registration Requirements by State

While the NVRA Form is a universal form (used in most states), it includes instructions unique to each state. The following shows what the universal NVRA Form looks like.

Voter Registration Application
Before completing this form, review the General, Application, and State specific instructions.

1 Are you a citizen of the United States of America? <input type="checkbox"/> Yes <input type="checkbox"/> No Will you be 18 years old on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No If you checked "No" in response to either of these questions, do not complete form. (Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)		This space for office use only.	
2 <input type="checkbox"/> Mr. <input type="checkbox"/> Miss Last Name <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms.		3 First Name Middle Name(s) <input type="checkbox"/> Jr <input type="checkbox"/> II <input type="checkbox"/> Sr <input type="checkbox"/> IV	
4 Home Address		5 Apt. or Lot # City/Town State Zip Code	
6 Address Where You Get Your Mail If Different From Above		7 City/Town State Zip Code	
8 Date of Birth <input type="text"/> / <input type="text"/> / <input type="text"/> Month Day Year		9 Telephone Number (optional) ID Number - (See item 6 in the instructions for your state)	
10 Choice of Party (see item 7 in the instructions for your State)		11 Race or Ethnic Group (see item 8 in the instructions for your State)	
12 I have reviewed my state's instructions and I swear/affirm that: ■ I am a United States citizen ■ I meet the eligibility requirements of my state and subscribe to any oath required. ■ The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.		13 Please sign full name (or put mark) ▲ Date: <input type="text"/> / <input type="text"/> / <input type="text"/> Month Day Year	

If you are registering to vote for the first time: please refer to the application instructions for information on submitting copies of valid identification documents with this form.

Every applicant who uses the Form must complete the area at the top left of the form by checking a box, stating “yes” or “no,” in response to the question: “Are you a citizen of the United States of America?” Additionally, an applicant must sign their name in **Box 9** that states, in relevant part, “I have reviewed my state’s instructions and I swear/affirm that: I am a United States citizen... The information I have provided is true to the best of my knowledge under penalty of perjury....”

The applicant must also complete several other boxes with his/her name, address, date of birth and other information. In addition, the applicant must complete **Box 6** which is the “ID number” box that directs the applicant to “See item 6 in the instructions for your state”. This is how states collect information ostensibly related to residency but in a way that falls short of confirming identity citizenship. The information required to be collected in **Box 6** varies from state to state.

The following is an analysis of the separate state requirements related to use of the Form. As you will see, the requirements in each state related to **Box 6** do not allow states to demand proof of citizenship. Rather, an individual can, in nearly all states, register to vote without supplying any unique, government-issued identification number. Further, individuals can register without presenting any documentary proof of citizenship and need only





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attest to being a citizen when using the Form.[35]

Alabama. The instructions tell the applicant “If you have one” provide an Alabama driver’s license number (DLN) or state-issued “nondriver identification card” (hereafter a state-issued identification card or SIID) number. If that cannot be provided, an individual need only provide “the last 4 digits of [a] Social Security number” (SSN). But if that cannot be provided the individual “must write NONE” in Box 6. This approach raises several concerns. First, it demonstrates the NVRA and use of the Form relies on the honor system when it comes to verifying citizenship. Second, at no point is an individual required to actually present any form of identification or a Social Security card to an election official. Third, the suggestion that individuals must provide a full SSN is false. Fourth, states cannot verify identity or citizenship based only on the “last 4” of an SSN. Fifth, an individual can register to vote in federal elections in Alabama without supplying any unique, government-issued identification number. As such, as applied to Alabama, the assertions of the Associated Press article and the implications that: (1) an applicant must provide a driver’s license or similar identification is false, in fact no identification is required; (2) an applicant must provide a full SSN is false, in fact a partial SSN or “NONE” is allowed; (3) a state has SSN information already on file is false; and (4) these requirements are, in any way, sufficient to verify identity and citizenship is false.

Alaska. The instructions for Alaska are similar to those in Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Arizona. The instructions for Arizona are similar to those in Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Arkansas. The instructions for Arkansas are similar to those in Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

California. In California, an individual must provide a California DLN or SIID number. If an individual lacks both, he or she must provide the last four digits of an SSN and, if that is not provided, the instructions advise that he or she “will be required to provide identification when you vote if it is your frst [sic] time voting in a federal election.” As such, when registering to vote in federal elections in California an individual can register by providing only the “last 4” of an SSN, which is insufficient to prove identity much less citizenship.

Colorado. The instructions for Colorado are similar to those in Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

[35] See also, Exhibit “B.”





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Connecticut. In Connecticut, an individual must provide a Connecticut DLN or the last four digits of an SSN. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

Delaware. The instructions for Delaware are similar to those in Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

D.C. The instructions for D.C. are similar to those in Connecticut (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Florida. The instructions for Florida are similar to those in Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Georgia. In Georgia, an individual must provide his/her DLN or SIID number. If lacking both, the individual must provide the last four digits of an SSN but is advised “providing your full [SSN] is optional.” As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Hawaii. In Hawaii, an individual is required to provide either their DLN or SIID, if they do not have either, they must provide the last four digits of an SSN. If an applicant does not have an SSN, the state will issue a unique number to the individual related to voter registration. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Idaho. In Idaho, an individual must provide either an Idaho DLN or SIID number but, if lacking both, must provide the last four digits of an SSN. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

Illinois. In Illinois, an individual must provide an Illinois DLN, SIID number, or the last four of an SSN. Alternatively, first time registrants are advised to obtain a mail-in registration form which “should” be accompanied by a copy of a current and valid photo ID or a current copy of a utility bill, bank statement, paycheck, government check, or other government document showing his or her name and address. With this system, individuals who lack a DLN, SIID, and SSN are directed to use a mail-in form. These individuals are not appearing in person and are only providing copies (rather than originals) of any of the documents allowed. At best, items listed in relation to the mail-in form show state presence while falling short of verifying identity and citizenship. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.





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Indiana. In Indiana, an individual must provide either their Indiana DLN or the last four digits of an SSN. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Iowa. In Iowa, an individual must provide either their Iowa DLN, SIID number, or the last four digits of an SSN. Noteworthy is that the state voter registration form allows a person to register by checking a box that states: “I do not have an IA driver’s license, non-operator ID, or Social Security number.” As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Kansas. The instructions for Kansas are similar to those for Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Kentucky. In Kentucky, an individual must provide a full SSN when registering to vote, however the instructions state no one will “be denied the right to register because of failure to include” an SSN. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Louisiana. In Louisiana, an individual must provide a Louisiana DLN, SIID number, or the last four of an SSN (a full SSN may be provided on a voluntary basis). Alternatively, an individual lacking a DLN, SIID number, and SSN, may provide a copy of a current and valid photo ID or a current copy of a utility bill, bank statement, government check, paycheck, or other government document “that shows the name and address of applicant.” At best, these alternative items demonstrate state presence but fall short of proving identity and citizenship. In any event, an individual can register to vote in federal elections in Louisiana without supplying any unique, government-issued identification number to prove identity or citizenship.

Maine. In Maine, an individual must provide a DLN or the last four digits of an SSN; however, if lacking both, an individual may write “NONE” in Box 6. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Maryland. In Maryland, an individual must provide a DLN, SIID number, or the last four digits of an SSN. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Massachusetts. In Massachusetts, an individual must provide a Massachusetts’ DLN or, if lacking one, the last four digits of his or her SSN. If an individual does not have a DLN or SSN, the individual may write “NONE” in Box 6. As such, an individual can register to vote in federal elections in Massachusetts without supplying any unique, government-issued identification number to prove identity much less citizenship.

Michigan. The instructions for Michigan are similar to those for Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number.





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Minnesota. The instructions for Minnesota are similar to those in Alabama (see above). As such, an individual can register to vote in federal elections without supplying any unique, government issued identification number to prove identity much less citizenship. Minnesota also allows same day registration under a process established by state law.

Mississippi. In Mississippi, an individual must provide their DLN if they have a current and valid license or, failing that, the last four digits of his/her SSN. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Missouri. In Missouri, an individual must write in their state issued DLN and the last four digits of an SSN. However, if an individual lacks either, he or she is instructed to write “NONE” on the form. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Montana. In Montana, an individual must provide a Montana DLN, SIID number, or the last four of an SSN. Alternatively, an applicant may also provide a copy of either a: (1) U.S. passport, Montana tribal ID card, military ID card, Montana concealed carry permit; or (2) school photo ID together with a current utility bill, bank statement, paycheck, government check, or “other government document” that shows the individual’s name and current address. At best, the secondary list of documents shows presence in the state but falls short of proving identity and citizenship. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Nebraska. In Nebraska, an individual must provide a Nebraska DLN but, if lacking a DLN, must provide the last four digits of their SSN. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

Nevada. In Nevada, an individual must provide a DLN, SIID number, or the last four digits of an SSN. If an individual lacks each, the individual is instructed to call his or her county clerk/registrar of voters to obtain a unique identifier. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

New Hampshire. New Hampshire is exempt from the NVRA and only accepts the Form as a request for an absentee ballot. Applicants are instructed to fill in Boxes 1-3 only.

New Jersey. In New Jersey, an individual must provide the last four digits of an SSN or his or her New Jersey DLN. If an applicant lacks both, he or she is instructed to write “NONE” in Box 6. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

New Mexico. In New Mexico, an individual must provide his or her full SSN. This alone, however, is not sufficient to demonstrate proof of identity (no photo ID is required) or proof of citizenship (many noncitizens have SSNs).





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New York. In New York, an individual must provide a DLN or, if he or she lacks that, the last four digits of an SSN, or lacking both, may write “NONE” on the form. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

North Carolina. In North Carolina, an individual must provide a DLN or SIID or, lacking either, the last four digits of an SSN. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

North Dakota. North Dakota does not have voter registration and is exempt from the NVRA.

Ohio. The Ohio instructions for the NVRA Form states: “Your social security number is requested. Providing this number is voluntary.” The applicant must provide a DLN or, if he or she lacks that, at least the last four digits of an SSN, or if lacking both, may write “NONE” on the form. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Oklahoma. In Oklahoma, an individual must provide either their valid Oklahoma DLN, SIID number, or the last four digits of an SSN. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

Oregon. In Oregon, an individual must provide a “valid Driver’s License, Permit, or ID number” or, if lacking one, “at least the last four digits” of an SSN. If also lacking an SSN, the individual may write “NONE” in Box 6. As such, an individual can register to vote with the federal form without supplying any unique, government-issued identification number to prove identity much less citizenship.

Pennsylvania. In Pennsylvania, an individual must provide a DLN or, if lacking a DLN, “at least the last four digits of [an SSN],” or if lacking both may write “NONE” in Box 6. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Rhode Island. In Rhode Island, an individual is required to provide either their Rhode Island DLN or SIID number or, if they do not have a current and valid ID, they must provide the last four digits of an SSN. If an applicant does not have any of the foregoing, the state will issue a unique number to the individual related to voter registration. As such, an individual can register to vote in federal elections in Rhode Island without supplying any unique, government-issued identification number to prove identity much less citizenship.

South Carolina. In South Carolina, an individual must provide at least the last four digits of an SSN but may provide the full SSN voluntarily. As such, an individual can register to vote in federal elections in South Carolina without supplying any unique, government-issued identification number to prove identity much less citizenship.





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South Dakota. In South Dakota, an individual must provide either their DLN, SIID number, or last four digits of their SSN. If they do not have any of those, he or she may register to vote at a county auditor's office by signing a statement verifying they do not have a valid ID or SSN. As such, an individual can register to vote in federal elections in South Dakota without supplying any unique, government-issued identification number to prove identity much less citizenship.

Tennessee. In Tennessee, an individual must provide his or her full SSN when registering to vote. In Tennessee, an SSN "is required for purposes of identification and to avoid duplicate registration." Notably, these instructions do not state the SSN is used to verify citizenship. As such, an individual in Tennessee must supply a unique, government-issued identification number; however, that is insufficient to prove identity and, because many noncitizens have SSNs, is not determinative of U.S. citizenship.

Texas. In Texas, an individual must provide a DLN or, if lacking that, "at least the last four digits of [an SSN]," or if lacking both may write "NONE" in Box 6. As such, an individual can register to vote in Texas without supplying any unique, government-issued identification number to prove identity much less citizenship.

Utah. In Utah, an individual must write the last four digits of an SSN in Box 6 along with either: (1) a DLN or SIID number; or (2) the word "None." As such, an individual can register to vote in federal elections in Utah without supplying any unique, government-issued identification number to prove identity much less citizenship.

Vermont. In Vermont, an individual must provide his or DLN or, if none, the last 4 digits of an SSN. If an individual lacks a Vermont driver's license and SSN, he or she may write "NONE" in Box 6. As such, an individual can register to vote in federal elections in Vermont without supplying any unique, government-issued identification number to prove identity much less citizenship.

Virginia. In Virginia, an individual must provide his or her full SSN when registering to vote. As such, an individual in Virginia must supply a unique, government-issued identification number; however, that number is insufficient to prove identity much less citizenship.

Washington. In Washington, an individual must provide a DLN or SIID number, if he or she lacks that, the last four digits of an SSN. As such, an individual can register to vote in federal elections in Washington States without supplying any unique, government-issued identification number to prove identity much less citizenship.

West Virginia. In West Virginia, an individual must provide a DLN or, if lacking one, the last 4 digits of an SSN. As such, an individual can register to vote in federal elections without supplying any unique, government-issued identification number to prove identity much less citizenship.

Wisconsin. Wisconsin is exempt from the NVRA and only accepts the Form as a request for an absentee ballot.

Wyoming. Wyoming is exempt from the NVRA and does not accept the Form for any purpose.





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SOLUTIONS

The SAVE Act contains critical reforms to update the NVRA and close the loopholes that can be exploited to allow noncitizens to register to vote in federal elections. Among these reforms, SAVE would:

- Require state election officials to inquire about citizenship status prior to providing a voter registration form to an applicant.
- Require state election officials to request documentary proof of citizenship from each individual at the time they register to vote using the NVRA Form.
- Prohibit states from registering an individual to vote in federal elections unless and until the individual provides documentary proof of citizenship.
- Allows state officials to accept a wide variety of documents that will make it easy for citizens to register to vote in federal elections while making it hard for noncitizens to register to vote.
- Require states to take steps to educate the public about the need to provide documentary proof of citizenship when registering to vote.
- Require states to take ongoing steps to review their election rolls and to remove noncitizens from the rolls so that they cannot vote in federal elections.
- Give states access to federal agency databases – at no cost and within 24 hours of request - in order to enable the states to:
 - Remove noncitizens from the voter registration rolls used for federal elections; and
 - Confirm an individual is a citizen if the individual lacks documentary proof of citizenship.
- Direct DHS to determine whether to conduct removal proceedings if a noncitizen has been identified as having registered to vote in federal elections.
- Require DHS to notify a state chief election official whenever an individual has been naturalized in that state, thus ensuring our nation's newest citizens are able to exercise their right to vote.
- Protect the rights of citizens by ensuring they may cast a provisional ballot on election day in the event the individual experiences issues related to voter registration.





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CONCLUSION

The evidence is overwhelming. Many noncitizens are able to obtain a Social Security Number. Over the past three years, the Biden Administration's policies have encouraged illegal immigration and aided a large number of noncitizens in obtaining an SSN. Loopholes in federal law could allow noncitizens to register to vote. An SSN alone is ineffective to prevent noncitizen registration and noncitizen voting. Noncitizens have been illegally voting in federal elections and have, according to one study, even affected the outcome of elections. Noncitizen voting is a threat to election integrity. Congress must pass the SAVE Act to close the loopholes that have allowed noncitizen voting, to enhance election security, to reduce the risk of foreign election interference, and to restore Americans' confidence in U.S. elections.





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EXHIBIT "A" – SUMMARY OF STATE VOTER REGISTRATION REQUIREMENTS UNDER CURRENT LAW, WHEN USING THE NVRA FORM

	Full DLN or SIID Required	Full SSN Required	Proof of Identity Required	Proof of Citizenship Required		Full DLN or SIID Required	Full SSN Required	Proof of Identity Required	Proof of Citizenship
Alabama	NO	NO	NO	NO	Montana	NO	NO	NO	NO
Alaska	NO	NO	NO	NO	Nebraska	NO	NO	NO	NO
Arizona	NO	NO	NO	NO	Nevada	NO	NO	NO	NO
Arkansas	NO	NO	NO	NO	New Hampshire	N/A	N/A	N/A	N/A
California	NO	NO	NO	NO	New Jersey	NO	NO	NO	NO
Colorado	NO	NO	NO	NO	New Mexico	NO	YES	NO	NO
Connecticut	NO	NO	NO	NO	New York	NO	NO	NO	NO
Delaware	NO	NO	NO	NO	N. Carolina	NO	NO	NO	NO
D.C.	NO	NO	NO	NO	N. Dakota	N/A	N/A	N/A	N/A
Florida	NO	NO	NO	NO	Ohio	NO	NO	NO	NO
Georgia	NO	NO	NO	NO	Oklahoma	NO	NO	NO	NO
Hawaii	NO	NO	NO	NO	Oregon	NO	NO	NO	NO
Idaho	NO	NO	NO	NO	Pennsylvania	NO	NO	NO	NO
Illinois	NO	NO	NO	NO	Rhode Island	NO	NO	NO	NO
Indiana	NO	NO	NO	NO	S. Carolina	NO	NO	NO	NO
Iowa	NO	NO	NO	NO	S. Dakota	NO	NO	NO	NO
Kansas	NO	NO	NO	NO	Tennessee	NO	YES	NO	NO
Kentucky	NO	NO	NO	NO	Texas	NO	NO	NO	NO
Louisiana	NO	NO	NO	NO	Utah	NO	NO	NO	NO
Maine	NO	NO	NO	NO	Vermont	NO	NO	NO	NO
Maryland	NO	NO	NO	NO	Virginia	NO	YES	NO	NO
Massachusetts	NO	NO	NO	NO	Washington	NO	NO	NO	NO
Michigan	NO	NO	NO	NO	West Virginia	NO	NO	NO	NO
Minnesota	NO	NO	NO	NO	Wisconsin	N/A	N/A	N/A	N/A
Mississippi	NO	NO	NO	NO	Wyoming	N/A	N/A	N/A	N/A
Missouri	NO	NO	NO	NO					

SUMMARY: None of the states or the District of Columbia require an individual to provide proof of identity much less proof of citizenship. Only three states require an individual to even provide a full Social Security number, which notably does not prove identity or citizenship.





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EXHIBIT "B" - DEMOCRAT COSPONSORS OF H.R. 16

Alabama

Terri Sewell

Arizona

Raul Grijalva

Greg Stanton

California

Pete Aguilar

Nanette Diaz Barragan

Ami Bera

Julie Brownlee

Salud Carbajal

Tony Cardenas

Judy Chu

Luis Correa

Jim Costa

Mark DeSaulnier

Anna Eshoo

John Garamendi

Robert Garcia

Jimmy Gomez

Josh Harder

Jared Huffman

Sara Jacobs

Sydney Kamlager-Dove

Ro Khanna

Barbara Lee

Mike Levin

Ted Lieu

Zoe Lofgren

Doris Matsui

Kevin Mullin

Grace Napolitano

Jimmy Panetta

Nancy Pelosi

Scott Peters

Katie Porter

Raul Ruiz

Linda Sanchez

Adam Schiff

Brad Sherman

Eric Swalwell

Mark Takano

Mike Thompson

Norma Torres

Juan Vargas

Maxine Waters

Colorado

Yadira Caraveo

Jason Crow

Diana DeGette

Joe Neguse

Brittany Pettersen

Connecticut

Joe Courtney

Rosa DeLauro

Jahana Hayes

James Himes

John Larson

Delaware

Lisa Blunt Rochester

Florida

Kathy Castor

Sheila McCormick

Lois Frankel

Maxwell Frost

Darren Soto

Debbie Wasserman Schultz

Frederica Wilson

Georgia

Sanford Bishop

Hank Johnson

Lucy McBath

David Scott

Nikema Williams

Hawaii

Jill Tokuda

Illinois

Nikki Budzinski

Sean Casten

Danny Davis

Bill Foster

Chuy Garcia

Jonathan Jackson

Kelly Robin

Raja Krishnamoorthi

Mike Quigley

Delia Ramirez

Jan Schakowsky

Bradley Schneider

Eric Sorensen

Lauren Underwood

Indiana

Andre Carson

Frank Mrvan

Kansas

Sharice Davids

Kentucky

Morgan McGarvey

Louisiana

Troy Carter

Maine

Chellie Pingree

Maryland

Steny Hoyer

Glenn Ivey

Kweisi Mfume

Jamie Raskin

Dutch Ruppersberger

John Sarbanes

David Trone

Massachusetts

Katherine Clark

William Keating

James McGovern

Seth Moulton

Ayanna Pressley

Lori Trahan

Michigan

Debbie Dingell

Daniel Kildee

Hillary Scholten

Elissa Slotkin

Haley Stevens

Shri Thanedar

Rashida Talib

Minnesota

Angie Craig

Betty McCollum

Ilhan Omar

Dean Phillips

Mississippi

Bennie Thompson

Missouri

Cori Bush

Emanuel Cleaver

Nevada

Dina Titus

New Hampshire

Ann Küster

Chris Pappas

New Mexico

Teresa Leger Fernandez

Melanie Stansbury

Gabe Vasquez





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EXHIBIT "B" - DEMOCRAT COSPONSORS OF H.R. 16 CONTINUED

New York

Jamaal Bowman
Yvette Clark
Adriano Espaillat
Daniel Goldman
Brian Higgins
Hakeem Jeffries
Gregory Meeks
Grace Meng
Joseph Morelle
Jerrold Nadler
Alexandria Ocasio-Cortez
Thomas Suozzi
Paul Tonko
Ritchie Torres
Nydia Velazquez

North Carolina

Alma Adams
Valerie Foushee
Kathy Manning
Wiley Nickel
Deborah Ross

Ohio

Joyce Beatty
Shontel Brown
Marcy Kaptur

Oregon

Earl Blumenauer
Suzanne Bonamici
Val Hoyle
Andrea Salinas

Pennsylvania

Brendan Boyle
Matt Cartwright
Madeleine Dean
Christopher Deluzio
Dwight Evans
Chrissy Houlahan
Summer Lee
Mary Gay Scanlon
Susan Wild

Rhode Island

Gabe Amo
Seth Magaziner

South Carolina

Jim Clyburn

Tennessee

Steve Cohen

Texas

Colin Alred
Greg Casar
Joaquin Castro
Jasmine Crockett
Henry Cuellar
Lloyd Doggett
Veronica Escobar
Lizzie Fletcher
Sylvia Garcia
Vicente Gonzalez
Al Green
Sheila Jackson-Lee
Marc Veasey

Vermont

Becca Balint

Virginia

Donald Beyer
Jennifer McClellan
Robert "Bobby" Scott
Abigail Spanberger
Jennifer Wexton

Washington

Suzan DelBene
Pramila Jayapal
Derek Kilmer
Rick Larson
Kim Schrier
Adam Smith
Marilyn Strickland

Wisconsin

Gwen Moore
Mark Pocan

Delegates

District of Columbia

Eleanor Holmes Norton

Northern Marianas

Gregorio Sablan

Virgin Islands

Stacey Plaskett

