

117TH CONGRESS
2D SESSION

H. R. 7958

To amend the Help America Vote Act of 2002 to prohibit the use of Federal funds for the administration of an election for Federal office in States which permit ballot harvesting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2022

Mr. RODNEY DAVIS of Illinois introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Help America Vote Act of 2002 to prohibit the use of Federal funds for the administration of an election for Federal office in States which permit ballot harvesting, 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 “No Federal Funds for
5 Ballot Harvesting Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the right to vote is a fundamental right of
2 citizens of the United States, as described by the
3 Constitution of the United States;

4 (2) the Committee on House Administration of
5 the House of Representatives, which is charged with
6 investigating election irregularities, received reports
7 through its official Election Observer Program for
8 the 2018 general election and the 2020 general elec-
9 tion, as well as from other stakeholders, that individ-
10 uals other than voters themselves were depositing
11 large amounts of absentee ballots at polling places
12 throughout California and other States, a practice
13 colloquially known as “ballot harvesting”;

14 (3) the practice of ballot harvesting creates sig-
15 nificant vulnerabilities in the chain of custody of bal-
16 lots because individuals collecting ballots are not re-
17 quired to be registered voters and are not required
18 to identify themselves at a voter’s home, and the
19 State does not track how many ballots are harvested
20 in an election;

21 (4) in North Carolina, a congressional election
22 was invalidated due to fraud associated with ballot
23 harvesting committed by a political operative, and it
24 is unlikely such activity would have been detected

(5) ballot harvesting invites electioneering activity at home and weakens States' long-standing voter protection procedures, which remain in place at polling locations, creating the possibility of undue influence over voters by political operatives and other bad actors; and

9 (6) the Supreme Court of the United States has
10 affirmed State authority to restrict ballot harvesting
11 (Brnovich v. Democratic National Committee, 141
12 S. Ct. 2321 (2021)).

13 SEC. 3. PROHIBITION ON FEDERAL FUNDS FOR ELECTION
14 ADMINISTRATION FOR STATES ALLOWING
15 COLLECTION AND TRANSMISSION OF BAL-
16 LOTS BY CERTAIN THIRD PARTIES.

(a) IN GENERAL.—The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended by adding at the end the following new section:

20 "SEC. 907. PROHIBITION ON FEDERAL FUNDS FOR ELEC-
21 TION ADMINISTRATION FOR STATES ALLOW-
22 ING COLLECTION AND TRANSMISSION OF
23 BALLOTS BY CERTAIN THIRD PARTIES.

24 “(a) IN GENERAL.—Notwithstanding any other pro-
25 vision of law, no Federal funds may be used to administer

1 any election for Federal office in a State unless the State
2 has in effect a law that prohibits an individual from the
3 knowing collection and transmission of a ballot in an elec-
4 tion for Federal office that was mailed to another person,
5 other than an individual described as follows:

6 “(1) An election official while engaged in offi-
7 cial duties as authorized by law.

8 “(2) An employee of the United States Postal
9 Service or other commercial common carrier engaged
10 in similar activities while engaged in duties author-
11 ized by law.

12 “(3) Any other individual who is allowed by law
13 to collect and transmit United States mail, while en-
14 gaged in official duties as authorized by law.

15 “(4) A family member, household member, or
16 caregiver of the person to whom the ballot was
17 mailed.

18 “(b) DEFINITIONS.—For purposes of this section,
19 with respect to a person to whom the ballot was mailed:

20 “(1) The term ‘caregiver’ means an individual
21 who provides medical or health care assistance to
22 such person in a residence, nursing care institution,
23 hospice facility, assisted living center, assisted living
24 facility, assisted living home, residential care institu-

1 tion, adult day health care facility, or adult foster
2 care home.

3 “(2) The term ‘family member’ means an indi-
4 vidual who is related to such person by blood, mar-
5 riage, adoption or legal guardianship.

6 “(3) The term ‘household member’ means an
7 individual who resides at the same residence as such
8 person.”.

9 (b) CLERICAL AMENDMENT.—The table of contents
10 of such Act is amended by adding at the end the following
11 new item:

 “Sec. 907. Prohibition on Federal funds for election administration for States
 allowing collection and transmission of ballots by certain third
 parties.”.

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