



August 26, 2024

MODEL EXECUTIVE ORDER | Center for Election Integrity & America First Governors' Council

SECURING U.S. ELECTIONS AND PREVENTING NON-CITIZEN VOTING

PURPOSE OF THIS EXECUTIVE ORDER

- The Biden-Harris Administration's border crisis has allowed millions of illegal aliens to enter the country, making it more important than ever that states ensure elections are not compromised by non-citizen voting.
- In addition, the Biden-Harris Administration has instructed all federal agencies, from the Social Security Administration to the Small Business Administration, to focus on voter registration in the states through Executive Order 14019, with instructions not to verify citizenship status.
- This model executive order for governors, based on Idaho Governor Brad Little's Executive Order No. 2024-07 and Virginia Governor Glenn Youngkin's Executive Order 35, allows state leaders to take immediate action to secure their election processes.
- While election processes ultimately ought to be codified by legislatures, governors can take action now to remind their citizens and anyone residing in their state of election law and make sure these laws are enforced. Governors and legislators can also work to pass key election provisions into law in the future.

WHEREAS, **[INSERT STATE]** fiercely defends the right of our citizens to vote in our elections; and

WHEREAS, aliens who have entered the United States illegally or as legal immigrants and have failed to lawfully become U.S. citizens have no right to vote in **[INSERT STATE]** elections; and

WHEREAS, **[INSERT STATE]** will not tolerate the erosion of election integrity through efforts to allow a pathway for non-citizens to vote in our elections; and



WHEREAS, **[INSERT RELEVANT STATE CONSTITUTION REFERENCE]** requires every person to be eighteen (18) years old, a citizen of the United States, and a resident of **[INSERT STATE]** before they can register for and vote in our elections; and

WHEREAS, the Secretary of State and **[INSERT STATE]**'s county clerks actively work to validate voter registration information by coordinating with partner agencies to ensure **[INSERT STATE]**'s voter rolls remain current and free of ineligible voters; and

WHEREAS, the Biden-Harris Administration is actively promoting the registration of non-citizens to vote through the issuance of Executive Order 14019, a directive encouraging and directing federal agencies to promote voter registration at welfare offices and other agencies that provide services to non-citizens; and

WHEREAS, protecting the integrity of our elections by ensuring that no non-citizens vote has become even more necessary now than ever before because the Biden-Harris Administration's open border policies have significantly increased illegal immigration, including smugglers of drugs and weapons, human traffickers, and terrorists, and the Biden-Harris Administration's failure at securing our southern border has made every state a border state; and

Provision exclusive to Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin, and Wyoming:

WHEREAS, **[INSERT STATE]** refuses to register non-citizens to vote and is exempt from the National Voter Registration Act Of 1993, barring the state from providing registration materials at welfare offices pursuant to 52 U.S. Code § 20503(b).

ACTIONS OF THE EXECUTIVE ORDER

NOW THEREFORE, I, **[INSERT GOVERNOR]**, Governor of the State of **[INSERT STATE]**, by virtue of the authority vested in me by the Constitution and laws of this State, do hereby order and direct the following:

1. The Secretary of State and all state agencies shall immediately take all necessary steps to ensure that processes are in place to validate U.S. citizenship during the voter registration process and prevent non-citizens from registering to vote, including, but not limited to, the following:
 - a. The Secretary of State shall routinely review **[INSERT STATE]**'s voter rolls, in coordination with **[INSERT STATE]** State Police and the **[INSERT STATE]** Transportation Department, to identify any potential non-citizens and remove them from voter rolls.



- b. The Secretary of State shall coordinate with the U.S. Department of Homeland Security to utilize the SAVE database and take any steps necessary to verify citizenship status to ensure no non-citizens are participating in **[INSERT STATE]** elections.
 - c. State agencies shall not provide voter registration materials to non-citizens or coordinate with any federal programs or agencies to provide voter registration materials to non-citizens in the State of **[INSERT STATE]**.
 - d. In an annual report to the Governor and Legislature regarding voter registration maintenance, the Secretary of State and county clerks shall report on their efforts to prevent and remove non-citizens from **[INSERT STATE]**'s voter rolls. This data shall be annually published on the Secretary of State's website.
2. In addition to removing all non-citizens from **[INSERT STATE]**'s voter rolls, the Secretary of State shall certify that processes are in place to remove voters who have moved in accordance with federal and state law, deceased voters, and ineligible voters, including felons and the mentally incapacitated.

Governors should ensure that the following section is adapted to reflect current election law in their states. The purpose of this EO is to enforce current election law. New laws should be adopted in conjunction with state legislatures.

3. The Secretary of State shall certify annually in writing to the Governor that the following election security procedures are in place, including the training of registrars regarding these critical procedures:
 - a. Ballot Security:
 - i. There is a documented chain of custody for paper ballots, with daily reconciliation during early voting.
 - ii. Ballots are tracked through every step of the process.
 - iii. In precincts on Election Day and during early voting, ballots cast are reconciled against the number of voters checked in and the number of ballots distributed to voters.
 - iv. Absentee ballots must be requested by a registered voter before being mailed.
 - v. Marked absentee ballots may not be counted until the last four digits of a voter's social security number, driver's license number, or voter ID card number are matched to the voter's record in the statewide voter registration system.



- vi. Use of provisional ballots for the Same Day Registration process, which requires that these ballots are not counted in the precinct but go back to the **[INSERT STATE OFFICE]** for determination of eligibility, which includes proof of U.S. citizenship.
- vii. 100% of paper ballots are used in **[STATE]** and are retained by the clerks of court for at least 22 months.
- b. Counting Machine Testing and Certification
 - i. **[STATE]** does not use “voting machines,” but only paper ballot counting machines.
 - ii. No ballot-counting machines are connected to the internet.
 - iii. All ballot-counting machines are certified to state and federal standards.
 - iv. Every piece of equipment utilized in the voting and counting process, such as electronic poll books, is tested before being used in a polling place.
- c. Triple-Check of Election Result Accuracy
 - i. Election officers must check election results at the precinct level on election night.
 - ii. Electoral Boards check election results at the locality level in the post-election canvass.
 - iii. **[INSERT STATE OFFICE]** staff check election results at the state level through results review and audits before certification.

IN WITNESS THEREOF AND SIGNATURES

This executive order shall become effective upon its signing and shall remain in full force and effect until amended or rescinded by further executive orders.

IN TESTIMONY WHEREOF, I have hereunto set my hand and cause the Great Seal of the State of **[INSERT STATE]** to be affixed this **[INSERT DATE]**, in the year of our Lord **[INSERT YEAR]**.

