

H.R. ____

115th CONGRESS 1st Session

IN THE HOUSE OF REPRESENTATIVES

March 3, 2025

Mr. Sessions introduced the following bill: which was referred to the Committee on House Administration

A BILL

To secure federal elections and primaries receiving public funds by mandating hand-marked paper ballots, requiring hand counts with rapid reporting, using paper poll books with voter affidavits, restricting mailed ballots, enforcing voter identification and citizenship verification, limiting early voting, ensuring maximum transparency with comprehensive election data access, establishing an oversight board, replacing HAVA with stringent standards, providing compliance-contingent funding, and promoting civic duty through mailers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—GENERAL PROVISIONS

SECTION 101. SHORT TITLE

This Act may be cited as the “Make Elections Secure Act” or “MESA.”

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SECTION 103. FINDINGS

Congress finds that:

1. The integrity of federal elections and primaries is fundamental to American democracy, yet vulnerabilities in current systems undermine public trust.
2. Hand-marked paper ballots, counted manually by election officials in public view, provide a secure, verifiable, and transparent process that eliminates the need for post-election audits.
3. Electronic voting systems pose risks of hacking, malfunctions, and interference, threatening election security.
4. Unrestricted mailed ballots create opportunities for fraud, necessitating strict eligibility and verification measures.
5. Voter identification and citizenship verification, affirmed under penalty of law, ensure that only eligible U.S. citizens cast ballots.
6. Transparency through public observation, real-time monitoring, and unrestricted access to comprehensive election data—including unscrambled tabulator data—builds confidence in election outcomes.
7. Hand counts initiated after polls close, with results reported within four hours, enhance security and efficiency without requiring subsequent audits.
8. The Help America Vote Act of 2002 (HAVA) fails to address modern election security needs and must be replaced with a robust framework.

9. Primary elections for federal offices that are receiving public funds require the same security standards as general elections, with caucuses permitted only under strict conditions.

10. Encouraging civic participation as election workers strengthens community involvement and election integrity.

SECTION 104. PURPOSES

The purposes of this Act are to:

1. Establish a secure election system for federal elections and primaries using hand-marked paper ballots and manual counting.

2. Define Election Day as the final Tuesday of voting in general elections and primaries, limiting early voting to ensure uniformity.

3. Restrict mailed ballots to specific eligible voters with stringent verification processes.

4. Prohibit electronic voting systems for the general electorate, allowing only accessibility accommodations for voters with disabilities.

5. Require voter identification and a signed affidavit in the paper poll book affirming citizenship and single voting intent under penalty of law.

6. Verify voter roll citizenship upon registration or at the next issuance of a state ID by the Secretary of State.

7. Ensure maximum transparency by providing public access to all election processes and comprehensive Election Data, including unscrambled ballot images and cast vote records, with at least five days for officials to upload data.

8. Include primary elections in MESA's scope, grandfathering caucuses only if they meet rigorous standards.

9. Establish the TRUST Board to oversee election security and compliance nationwide.

10. Allocate federal funding contingent on compliance, supporting hand counts, paper processes, and transparency efforts.

11. Promote civic duty by encouraging citizens to serve as election workers through mandatory mailers.

12. Repeal and replace the Help America Vote Act (HAVA) of 2002.

SECTION 105. DEFINITIONS

For the purposes of this Act:

1. Election Data—All records generated during federal elections and primaries, including but not limited to:

- Voter registration lists with citizenship verification status.
- Precinct-level hand-counted results.
- Ballot designs and physical ballots.
- Voter turnout data.
- Chain-of-custody documentation.
- Any tabulator data from secondary verification systems, such as ballot images and cast vote records, which must remain unscrambled, unordered, and human-readable for public verification.

2. Hand-Marked Paper Ballot—A pre-printed paper ballot manually marked by the voter with a pen or pencil, containing no digital codes (e.g., barcodes, QR codes) or electronic enhancements.

3. Hand Count—The manual tabulation of paper ballots by trained election officials, conducted publicly after polls close, serving as the official election result.
4. Paper Poll Book—A physical list of registered voters at each precinct, used as the primary check-in method, where voters sign an affidavit affirming eligibility.
5. Election Day—The final Tuesday of voting in general elections or primaries for federal offices, marking the conclusion of all voting activities.
6. Mailed Ballot—A paper ballot requested by an eligible voter, completed, and returned via mail or in-person delivery, subject to strict verification.
7. TRUST Board—The Technical Review for United States Security & Technology Board (TRUST), established under Section 601 to oversee election standards.
8. Voting System—The complete process of voter registration, identification, ballot issuance, marking, and counting in federal elections and primaries.
9. Caucus—A party-organized meeting to select nominees, permitted only if it uses hand-marked paper ballots or equivalent secure methods with manual tabulation and transparency.

TITLE II—VOTING SYSTEM REQUIREMENTS

SECTION 201. HAND-MARKED PAPER BALLOTS MANDATORY

- (a) Mandate—Every federal election and primary receiving public funds shall exclusively use hand-marked paper ballots for vote casting, except for accommodations under Section 205 for voters with disabilities.
- (b) Purpose—This requirement ensures a verifiable, tamper-resistant record of voter intent, eliminating reliance on electronic systems prone to manipulation.

SECTION 202. BALLOT SPECIFICATIONS AND SECURITY

- (a) Design—Ballots shall be printed on durable, tamper-evident paper with currency-type security features (e.g., watermarks, embedded ultraviolet reflective flakes, holograms, etc.) to prevent duplication or alteration.
- (b) Production—States shall procure ballots from TRUST approved vendors, print ballots ahead of the election, ensuring no electronic printing or encoding occurs at polling places.
- (c) Marking Standards—Voters shall mark ballots with provided pens or pencils, ensuring clear, human-readable selections without digital assistance.

SECTION 203. HAND COUNTING PROCEDURES AND REPORTING

- (a) Initiation—Hand counting shall commence immediately after polls close on Election Day, with no ballots counted prior to this time.
- (b) Process—
 1. Teams of at least two election officials, ideally from differing political affiliations, shall count ballots in public view.
 2. Ballots shall be tallied by contest, with overvotes and undervotes adjudicated per state law by a bipartisan panel if disputed.
 3. Results shall be tallied on standardized forms, signed by all counters, and posted at the precinct.
- (c) Reporting Deadline—Precinct results shall be reported to the state election authority within four hours of polls closing, ensuring rapid, verifiable outcomes.
- (d) Public Oversight—
 4. Counting shall be observable by certified poll watchers and the public without restriction.

5. Live video streaming of the counting process is mandatory, with recordings preserved for five years.

SECTION 204. PAPER POLL BOOKS AND VOTER AFFIDAVITS

(a) Primary Method—Paper poll books shall be the sole check-in method at polling places, listing all registered voters for the precinct.

(b) Voter Affidavit—

1. Upon presenting identification per Section 401, each voter shall sign the poll book, affirming under penalty of perjury:

- They are a U.S. citizen.
- They will not vote at another location.
- They have not already voted in the current election.

2. The affidavit shall state that false affirmation is a felony, punishable by up to 5 years in prison and/or a \$10,000 fine.

(c) Backup—Electronic poll books may be maintained as a secondary record but must be printed 30 days prior to Election Day, with the paper version controlling in disputes.

SECTION 205. ACCESSIBILITY ACCOMMODATIONS

(a) Options—Counties shall provide either:

1. TRUST Board-certified, offline accessibility devices that produce a human-readable paper ballot for voters with disabilities; or

2. Human assistance to mark ballots privately, ensuring voter independence.

(b) Scope—These accommodations apply only to voters unable to mark ballots manually due to disability, as certified by a physician or voter self-attestation.

SECTION 206. BAN ON ELECTRONIC VOTING SYSTEMS

(a) Prohibition—No electronic voting systems, including touchscreen devices or barcode/QR-code systems, shall be used for ballot marking by the general electorate.

(b) Rationale—This ban eliminates vulnerabilities inherent in digital systems, relying solely on hand-marked paper ballots for security.

SECTION 207. EARLY VOTING RESTRICTIONS

(a) Limit—Early in-person voting is permitted only on the three consecutive days immediately preceding Election Day, using the same hand-marked paper ballots and paper poll books as on Election Day.

(b) Purpose—This restriction concentrates voting activity, facilitating manageable hand counts and reducing administrative complexity.

TITLE III—MAILED BALLOT RESTRICTIONS

SECTION 301. ELIGIBILITY CRITERIA

(a) Eligible Categories—Mailed ballots are restricted to:

1. Active-duty military personnel stationed outside their voting jurisdiction.
2. Voters with a physician-certified medical condition preventing in-person voting.

(b) Documentation—Eligibility requires submission of military orders or a signed medical certificate with the ballot request.

SECTION 302. REQUEST AND VERIFICATION PROCESS

(a) Timeline—Requests must be submitted between 60 and 30 days before Election Day to allow verification.

(b) Requirements—Requests shall include:

1. A photocopy of a government-issued photo ID.
2. An affidavit affirming citizenship and intent to vote only once, under penalty of perjury.

(c) Verification—Election officials shall confirm eligibility and ID against voter records before issuing a ballot.

SECTION 303. PROHIBITION ON UNSOLICITED BALLOTS

(a) Ban—States shall not mail ballots to voters who have not requested them and met eligibility criteria.

(b) Enforcement—Violations by officials are subject to civil fines and DOJ investigation.

SECTION 304. RETURN REQUIREMENTS

(a) Deadline—Mailed ballots must be received by election officials by the close of polls on Election Day.

(b) Methods—Voters may return ballots via U.S. mail or in-person delivery to an election office; electronic submission is prohibited.

(c) Validation—Returned ballots must include a voter signature, matched to registration records.

SECTION 305. SECURITY AND ENFORCEMENT

(a) Tracking—Each mailed ballot shall have a unique barcode for tracking receipt and status, updated online in real time.

(b) Custody—Chain-of-custody logs shall document every transfer of mailed ballots, published within 24 hours of receipt.

(c) Penalties—Fraudulent use of mailed ballots incurs fines up to \$15,000 and/or imprisonment for up to 5 years.

TITLE IV—VOTER IDENTIFICATION AND CITIZENSHIP

SECTION 401. IN-PERSON VOTER IDENTIFICATION

(a) Requirement—Every in-person voter must present a government-issued photo ID (e.g., driver's license, passport, military identification) before receiving a ballot.

(b) Affidavit Link—ID presentation triggers the signing of the paper poll book affidavit under Section 204(b).

SECTION 402. MAILED BALLOT IDENTIFICATION

(a) Request—Mailed ballot requests require a photo ID copy and affidavit per Section 302(b).

(b) Return—Completed ballots must include a voter signature matched to registration records.

SECTION 403. PROVISIONAL VOTING PROCEDURES

- (a) Availability—Voters lacking ID may cast a provisional ballot, marked and segregated from regular ballots.
- (b) Curing—Provisional ballots are counted only if the voter presents valid ID within 48 hours of polls closing.

SECTION 404. FREE VOTER ID PROVISION

- (a) Mandate—States shall issue free photo IDs to all eligible citizens upon presentation of citizenship proof (e.g., birth certificate).
- (b) Access—IDs shall be available at state motor vehicle offices, election offices, and polling places on voting days.

SECTION 405. CITIZENSHIP VERIFICATION FOR REGISTRATION

- (a) New Registrants—After enactment, all new voter registrations require proof of citizenship (e.g., birth certificate, passport).
- (b) Existing Voters—For current registrants, citizenship shall be verified by the Secretary of State at the next issuance of a state ID or driver's license.
- (c) Records—Voter rolls shall note verification status, with unverified voters flagged for follow-up.

SECTION 406. COMPLIANCE ENFORCEMENT

- (a) Monitoring—The DOJ shall oversee state compliance with ID and citizenship rules.
- (b) Consequences—Non-compliant states risk losing federal election funding and facing mandatory voter roll reviews.

TITLE V—TRANSPARENCY AND ELECTION DATA

SECTION 501. PUBLIC OBSERVATION AND REAL-TIME MONITORING

- (a) Access—All election activities—check-in, voting, and counting—shall be open to unrestricted public observation.
- (b) Recording—Hand counting shall be recorded when possible or live-streamed on screens located in the location of the counting and/or online, with footage archived for five years on a public portal.

SECTION 502. ELECTION DATA ACCESS AND PUBLICATION

- (a) Deadline—States shall upload all Election Data to a state approved public website within five days of polls closing.
- (b) Contents—Election Data includes:
 - 1. Hand-counted results by precinct.
 - 2. Voter turnout and registration data.
 - 3. Ballot images and cast vote records from any secondary tabulators, unscrambled and in original order.
 - 4. Chain-of-custody records.

(c) Format—Data shall be available in human-readable (e.g., PDF) and machine-readable (e.g., CSV) formats.

SECTION 503. STANDARDS FOR ELECTION DATA

- (a) Integrity—Data shall be secured with tamper-evident logs and cryptographic signatures.
- (b) Tabulator Rules—Secondary tabulator data must preserve original ballot scanning order and readability, with no scrambling permitted.

TITLE VI—TRUST BOARD ESTABLISHMENT AND AUTHORITY

SECTION 601. CREATION AND COMPOSITION

- (a) Establishment—The Technical Review for United States Security & Technology (TRUST) Board is created within the National Institute of Standards and Technology (NIST) as an independent entity.
- (b) Members—Five experts in election security and technology, appointed by the NIST Director, shall serve 6-year staggered terms, free of political ties.

SECTION 602. RESPONSIBILITIES AND POWERS

(a) Duties—The Board shall:

1. Set standards for voting systems, data, and administration.
2. Certify equipment and procedures.
3. Review state compliance biennially.

(b) Authority—The Board may recommend funding cuts or decertification for non-compliance.

SECTION 603. INDEPENDENCE AND ACCOUNTABILITY

- (a) Autonomy—The Board operates independently, reporting to NIST and Congress.
- (b) Openness—All meetings and decisions shall be public, with records available within 30 days.

TITLE VII—FUNDING AND HAVA REPEAL

SECTION 701. REPEAL OF HAVA

The Help America Vote Act of 2002 is repealed upon enactment.

SECTION 702. FUNDING ALLOCATION AND CONDITIONS

- (a) Condition—Federal funding requires full MESA compliance.
- (b) Uses—Funds implement jurisdictions that opt for hand counts, paper ballots, and transparency.

SECTION 703. ELECTION WORKER RECRUITMENT AND PAY

- (a) Program—States shall recruit and train workers, emphasizing civic duty.
- (b) Pay—Workers receive the hourly pay equivalent to the pay of workers in the most recent US Census.

TITLE VIII—ELECTION ADMINISTRATION

SECTION 801. PRECINCT SIZE LIMITS

- (a) Cap—Precincts shall not exceed 1,500 voters to ensure efficient hand counts.
- (b) Waiver—Urban areas may seek TRUST Board approval for larger precincts.

SECTION 802. VOTER ROLL MAINTENANCE AND CITIZENSHIP VERIFICATION

- (a) Voter Rolls are to be finalized 30 days before Election Day, except for judicial corrections.
- (b) Verification—Citizenship checks occur at registration or next ID issuance.

SECTION 803. STANDARDS FOR PRIMARIES AND CAUCUSES

- (a) Primaries—All primaries receiving public funds follow MESA rules.
- (b) Caucuses—Grandfathered caucuses must use hand-marked ballots, manual counts, and transparency measures.

TITLE IX—CIVIC DUTY ENGAGEMENT

SECTION 901. MAILER FUNDING

- (a) Funding - States shall be reimbursed for mailing civic duty invitations to all voters 90 days before elections, promoting poll worker roles.
- (b) Details—Mailers outline roles, pay, and application steps. Mailers to offer options to volunteer, ask for pay, request roles as poll workers or in ballot counting.

SECTION 902. REPORTING AND OVERSIGHT

- (a) Reports—States report mailer distribution and responses annually to the TRUST Board.

TITLE X—MISCELLANEOUS AND IMPLEMENTATION

SECTION 1001. EFFECTIVE DATE AND TRANSITION

- (a) Date—Effective upon enactment, with compliance by November 11, 2025.
- (b) Plans—States submit transition plans within 6 months.

SECTION 1002. SEVERABILITY

Invalid provisions do not affect the remainder of the Act.

SECTION 1003. LIMITATION ON NEW AGENCIES

Only the TRUST Board and DOJ roles are created.

SECTION 1004. EMERGENCY CONTINGENCY PLANS

- (a) Requirement—States submit plans for disruptions to the TRUST Board.

SECTION 1005. CONSTITUTIONAL AUTHORITY

Enacted under Article I, Section 4, and Article II, Section 1 of the U.S. Constitution.