

**AMENDMENT TO H.R. 8035**

**OFFERED BY MRS. LUNA OF FLORIDA**

Page 2, before line 1 insert the following:

1 **TITLE I—EXTENSION OF AU-**  
2 **THORITIES OF TITLE VII OF**  
3 **THE FOREIGN INTELLIGENCE**  
4 **SURVEILLANCE ACT OF 1978**

At the end of the bill add the following new title:

5 **TITLE II—SAFEGUARD AMER-**  
6 **ICAN VOTER ELIGIBILITY ACT**

7 **SEC. 101. SHORT TITLE.**

8 This title may be cited as the “Safeguard American  
9 Voter Eligibility Act” or the “SAVE America Act”.

10 **SEC. 102. ENSURING ONLY CITIZENS ARE REGISTERED TO**  
11 **VOTE IN ELECTIONS FOR FEDERAL OFFICE.**

12 (a) DEFINITION OF DOCUMENTARY PROOF OF  
13 UNITED STATES CITIZENSHIP.—Section 3 of the National  
14 Voter Registration Act of 1993 (52 U.S.C. 20502) is  
15 amended—

16 (1) by striking “As used” and inserting “(a) IN  
17 GENERAL.—As used”; and

18 (2) by adding at the end the following:

1       “(b) DOCUMENTARY PROOF OF UNITED STATES  
2 CITIZENSHIP.—As used in this Act, the term ‘documen-  
3 tary proof of United States citizenship’ means, with re-  
4 spect to an applicant for voter registration, any of the fol-  
5 lowing:

6           “(1) A form of identification issued consistent  
7 with the requirements of the REAL ID Act of 2005  
8 that indicates the applicant is a citizen of the United  
9 States.

10          “(2) A valid United States passport.

11          “(3) The applicant’s official United States mili-  
12 tary identification card, together with a United  
13 States military record of service showing that the  
14 applicant’s place of birth was in the United States.

15          “(4) A valid government-issued photo identifica-  
16 tion card issued by a Federal, State or Tribal gov-  
17 ernment showing that the applicant’s place of birth  
18 was in the United States.

19          “(5) A valid government-issued photo identifica-  
20 tion card issued by a Federal, State or Tribal gov-  
21 ernment other than an identification described in  
22 paragraphs (1) through (4), but only if presented to-  
23 gether with one or more of the following:

1           “(A) A certified birth certificate issued by  
2 a State, a unit of local government in a State,  
3 or a Tribal government which—

4           “(i) was issued by the State, unit of  
5 local government, or Tribal government in  
6 which the applicant was born;

7           “(ii) was filed with the office respon-  
8 sible for keeping vital records in the State;

9           “(iii) includes the full name, date of  
10 birth, and place of birth of the applicant;

11           “(iv) lists the full names of one or  
12 both of the parents of the applicant;

13           “(v) has the signature of an individual  
14 who is authorized to sign birth certificates  
15 on behalf of the State, unit of local govern-  
16 ment, or Tribal government in which the  
17 applicant was born;

18           “(vi) includes the date that the certifi-  
19 cate was filed with the office responsible  
20 for keeping vital records in the State; and

21           “(vii) has the seal of the State, unit  
22 of local government, or Tribal government  
23 that issued the birth certificate.

24           “(B) An extract from a United States hos-  
25 pital Record of Birth created at the time of the

1 applicant's birth which indicates that the appli-  
2 cant's place of birth was in the United States.

3 “(C) A final adoption decree showing the  
4 applicant's name and that the applicant's place  
5 of birth was in the United States.

6 “(D) A Consular Report of Birth Abroad  
7 of a citizen of the United States or a certifi-  
8 cation of the applicant's Report of Birth of a  
9 United States citizen issued by the Secretary of  
10 State.

11 “(E) A Naturalization Certificate or Cer-  
12 tificate of Citizenship issued by the Secretary of  
13 Homeland Security or any other document or  
14 method of proof of United States citizenship  
15 issued by the Federal government pursuant to  
16 the Immigration and Nationality Act.

17 “(F) An American Indian Card issued by  
18 the Department of Homeland Security with the  
19 classification ‘KIC’.”

20 (b) APPLICATION OF REQUIREMENTS.—Section 4 of  
21 the National Voter Registration Act of 1993 (52 U.S.C.  
22 20503) is amended by striking subsection (b) and insert-  
23 ing the following:

24 “(b) REQUIRING APPLICANTS TO PRESENT DOCU-  
25 MENTARY PROOF OF UNITED STATES CITIZENSHIP.—

1 Under any method of voter registration in a State, the  
2 State shall not accept and process an application to reg-  
3 ister to vote in an election for Federal office unless the  
4 applicant presents documentary proof of United States  
5 citizenship with the application.”.

6 (c) REGISTRATION WITH APPLICATION FOR MOTOR  
7 VEHICLE DRIVER’S LICENSE.—Section 5 of the National  
8 Voter Registration Act of 1993 (52 U.S.C. 20504) is  
9 amended—

10 (1) in subsection (a)(1), by striking “Each  
11 State motor vehicle driver’s license application” and  
12 inserting “Subject to the requirements under section  
13 8(j), each State motor vehicle driver’s license appli-  
14 cation”;

15 (2) in subsection (c)(1), by striking “Each  
16 State shall include” and inserting “Subject to the  
17 requirements under section 8(j), each State shall in-  
18 clude”;

19 (3) in subsection (c)(2)(B)—

20 (A) in clause (i), by striking “and” at the  
21 end;

22 (B) in clause (ii), by adding “and” at the  
23 end; and

24 (C) by adding at the end the following new  
25 clause:

1           “(iii) verify that the applicant is a citizen  
2           of the United States;”;

3           (4) in subsection (c)(2)(C)(i), by striking “(in-  
4           cluding citizenship)” and inserting “, including the  
5           requirement that the applicant provides documentary  
6           proof of United States citizenship”; and

7           (5) in subsection (c)(2)(D)(iii), by striking “;  
8           and” and inserting the following: “, other than as  
9           evidence in a criminal proceeding or immigration  
10          proceeding brought against an applicant who know-  
11          ingly attempts to register to vote and knowingly  
12          makes a false declaration under penalty of perjury  
13          that the applicant meets the eligibility requirements  
14          to register to vote in an election for Federal office;  
15          and”.

16          (d) REQUIRING DOCUMENTARY PROOF OF UNITED  
17          STATES CITIZENSHIP WITH NATIONAL MAIL VOTER  
18          REGISTRATION FORM.—Section 6 of the National Voter  
19          Registration Act of 1993 (52 U.S.C. 20505) is amended—

20                 (1) in subsection (a)(1)—

21                         (A) by striking “Each State shall accept  
22                         and use” and inserting “Subject to the require-  
23                         ments under section 8(j), each State shall ac-  
24                         cept and use”; and

1 (B) by striking “Federal Election Commis-  
2 sion” and inserting “Election Assistance Com-  
3 mission”;

4 (2) in subsection (b), by adding at the end the  
5 following: “The chief State election official of a  
6 State shall take such steps as may be necessary to  
7 ensure that residents of the State are aware of the  
8 requirement to provide documentary proof of United  
9 States citizenship to register to vote in elections for  
10 Federal office in the State.”;

11 (3) in subsection (c)(1)—

12 (A) in subparagraph (A), by striking  
13 “and” at the end;

14 (B) in subparagraph (B) by striking the  
15 period at the end and inserting “; and”; and

16 (C) by adding at the end the following new  
17 subparagraph:

18 “(C) the person did not provide documen-  
19 tary proof of United States citizenship when  
20 registering to vote.”; and

21 (4) by adding at the end the following new sub-  
22 section:

23 “(e) ENSURING PROOF OF UNITED STATES CITIZEN-  
24 SHIP.—

1           “(1) PRESENTING PROOF OF UNITED STATES  
2           CITIZENSHIP TO ELECTION OFFICIAL.—An applicant  
3           who submits the mail voter registration application  
4           form prescribed by the Election Assistance Commis-  
5           sion pursuant to section 9(a)(2) or a form described  
6           in paragraph (1) or (2) of subsection (a) shall not  
7           be registered to vote in an election for Federal office  
8           unless—

9                   “(A) the applicant presents documentary  
10                  proof of United States citizenship in person to  
11                  the office of the appropriate election official not  
12                  later than the deadline provided by State law  
13                  for the receipt of a completed voter registration  
14                  application for the election; or

15                  “(B) in the case of a State which permits  
16                  an individual to register to vote in an election  
17                  for Federal office at a polling place on the day  
18                  of the election and on any day when voting, in-  
19                  cluding early voting, is permitted for the elec-  
20                  tion, the applicant presents documentary proof  
21                  of United States citizenship to the appropriate  
22                  election official at the polling place not later  
23                  than the date of the election.

24           “(2) NOTIFICATION OF REQUIREMENT.—Upon  
25           receiving an otherwise completed mail voter registra-

1           tion application form prescribed by the Election As-  
2           sistance Commission pursuant to section 9(a)(2) or  
3           a form described in paragraph (1) or (2) of sub-  
4           section (a), the appropriate election official shall  
5           transmit a notice to the applicant of the requirement  
6           to present documentary proof of United States citi-  
7           zenship under this subsection, and shall include in  
8           the notice instructions to enable the applicant to  
9           meet the requirement.

10           “(3) ACCESSIBILITY.—Each State shall, in con-  
11           sultation with the Election Assistance Commission,  
12           ensure that reasonable accommodations are made to  
13           allow an individual with a disability who submits the  
14           mail voter registration application form prescribed  
15           by the Election Assistance Commission pursuant to  
16           section 9(a)(2) or a form described in paragraph (1)  
17           or (2) of subsection (a) to present documentary  
18           proof of United States citizenship to the appropriate  
19           election official.”.

20           (e) REQUIREMENTS FOR VOTER REGISTRATION  
21           AGENCIES.—Section 7 of the National Voter Registration  
22           Act of 1993 (52 U.S.C. 20506) is amended—

23           (1) in subsection (a)—

24           (A) in paragraph (4)(A), by adding at the  
25           end the following new clause:

1           “(iv) Receipt of documentary proof of  
2           United States citizenship of each applicant to  
3           register to vote in elections for Federal office in  
4           the State.”; and

5           (B) in paragraph (6)—

6           (i) in subparagraph (A)(i)(I), by strik-  
7           ing “(including citizenship)” and inserting  
8           “, including the requirement that the ap-  
9           plicant provides documentary proof of  
10          United States citizenship”; and

11          (ii) by redesignating subparagraphs  
12          (B) and (C) as subparagraphs (C) and  
13          (D), respectively; and

14          (iii) by inserting after subparagraph  
15          (A) the following new subparagraph:

16          “(B) ask the applicant the question, ‘Are you a  
17          citizen of the United States?’ and if the applicant  
18          answers in the affirmative require documentary  
19          proof of United States citizenship prior to providing  
20          the form under subparagraph (C);”; and

21          (2) in subsection (c)(1), by inserting “who are  
22          citizens of the United States” after “for persons”.

23          (f) REQUIREMENTS WITH RESPECT TO ADMINISTRA-  
24          TION OF VOTER REGISTRATION.—Section 8 of the Na-

1 tional Voter Registration Act of 1993 (52 U.S.C. 20507)

2 is amended—

3 (1) in subsection (a)—

4 (A) by striking “In the administration of  
5 voter registration” and inserting “Subject to  
6 the requirements of subsection (j), in the ad-  
7 ministration of voter registration”; and

8 (B) in paragraph (3)—

9 (i) in subparagraph (B), by striking  
10 “or” at the end; and

11 (ii) by adding at the end the following  
12 new subparagraphs:

13 “(D) based on documentary proof or  
14 verified information that the registrant is not a  
15 United States citizen; or

16 “(E) the registration otherwise fails to  
17 comply with applicable State law;”;

18 (2) by redesignating subsection (j) as sub-  
19 section (l); and

20 (3) by inserting after subsection (i) the fol-  
21 lowing new subsections:

22 “(j) ENSURING ONLY CITIZENS ARE REGISTERED  
23 TO VOTE.—

24 “(1) IN GENERAL.—Notwithstanding any other  
25 provision of this Act, a State may not register an in-

1       dividual to vote in elections for Federal office held  
2       in the State unless, at the time the individual ap-  
3       plies to register to vote, the individual provides docu-  
4       mentary proof of United States citizenship.

5               “(2) ADDITIONAL PROCESSES IN CERTAIN  
6       CASES.—

7                       “(A) PROCESS FOR THOSE WITHOUT DOC-  
8       UMENTARY PROOF.—

9                               “(i) IN GENERAL.—Subject to any rel-  
10       evant guidance adopted by the Election As-  
11       sistance Commission, each State shall es-  
12       tablish a process under which an applicant  
13       who cannot provide documentary proof of  
14       United States citizenship under paragraph  
15       (1) may, if the applicant signs an attesta-  
16       tion under penalty of perjury that the ap-  
17       plicant is a citizen of the United States  
18       and eligible to vote in elections for Federal  
19       office, submit such other evidence to the  
20       appropriate State or local official dem-  
21       onstrating that the applicant is a citizen of  
22       the United States and such official shall  
23       make a determination as to whether the  
24       applicant has sufficiently established  
25       United States citizenship for purposes of

1 registering to vote in elections for Federal  
2 office in the State.

3 “(ii) AFFIDAVIT REQUIREMENT.—If a  
4 State or local official makes a determina-  
5 tion under clause (i) that an applicant has  
6 sufficiently established United States citi-  
7 zenship for purposes of registering to vote  
8 in elections for Federal office in the State,  
9 such determination shall be accompanied  
10 by an affidavit developed under clause (iii)  
11 signed by the official swearing or affirming  
12 the applicant sufficiently established  
13 United States citizenship for purposes of  
14 registering to vote.

15 “(iii) DEVELOPMENT OF AFFIDAVIT  
16 BY THE ELECTION ASSISTANCE COMMIS-  
17 SION.—The Election Assistance Commis-  
18 sion shall develop a uniform affidavit for  
19 use by State and local officials under  
20 clause (ii), which shall—

21 “(I) include an explanation of the  
22 minimum standards required for a  
23 State or local official to register an  
24 applicant who cannot provide docu-  
25 mentary proof of United States citi-

1                    zenship to vote in elections for Fed-  
2                    eral office in the State; and

3                    “(II) require the official to ex-  
4                    plain the basis for registering such  
5                    applicant to vote in such elections.

6                    “(B) PROCESS IN CASE OF CERTAIN DIS-  
7                    CREPANCIES IN DOCUMENTATION.—Subject to  
8                    any relevant guidance adopted by the Election  
9                    Assistance Commission, each State shall estab-  
10                    lish a process under which an applicant can  
11                    provide such additional documentation to the  
12                    appropriate election official of the State as may  
13                    be necessary to establish that the applicant is  
14                    a citizen of the United States in the event of a  
15                    discrepancy with respect to the applicant’s doc-  
16                    umentary proof of United States citizenship.

17                    “(3) STATE REQUIREMENTS.—Each State shall  
18                    take affirmative steps on an ongoing basis to ensure  
19                    that only United States citizens are registered to  
20                    vote under the provisions of this Act, which shall in-  
21                    clude the establishment of a program described in  
22                    paragraph (4) not later than 30 days after the date  
23                    of the enactment of this subsection.

24                    “(4) PROGRAM DESCRIBED.—A State may meet  
25                    the requirements of paragraph (3) by establishing a

1 program under which the State identifies individuals  
2 who are not United States citizens using information  
3 supplied by one or more of the following sources:

4 “(A) The Department of Homeland Secu-  
5 rity through the Systematic Alien Verification  
6 for Entitlements (‘SAVE’) or otherwise.

7 “(B) The Social Security Administration  
8 through the Social Security Number  
9 Verification Service, or otherwise.

10 “(C) State agencies that supply State iden-  
11 tification cards or driver’s licenses where the  
12 agency confirms the United States citizenship  
13 status of applicants.

14 “(D) Other sources, including databases,  
15 which provide confirmation of United States  
16 citizenship status.

17 “(5) AVAILABILITY OF INFORMATION.—

18 “(A) IN GENERAL.—At the request of a  
19 State election official (including a request re-  
20 lated to a process established by a State under  
21 paragraph (2)(A) or (2)(B)), any head of a  
22 Federal department or agency possessing infor-  
23 mation relevant to determining the eligibility of  
24 an individual to vote in elections for Federal of-  
25 fice shall, not later than 24 hours after receipt

1 of such request, provide the official with such  
2 information as may be necessary to enable the  
3 official to verify that an applicant for voter reg-  
4 istration in elections for Federal office held in  
5 the State or a registrant on the official list of  
6 eligible voters in elections for Federal office  
7 held in the State is a citizen of the United  
8 States, which shall include providing the official  
9 with such batched information as may be re-  
10 quested by the official.

11 “(B) USE OF SAVE SYSTEM.—The Sec-  
12 retary of Homeland Security may respond to a  
13 request received under paragraph (1) by using  
14 the system for the verification of immigration  
15 status under the applicable provisions of section  
16 1137 of the Social Security Act (42 U.S.C.  
17 1320b–7), as established pursuant to section  
18 121(c) of the Immigration Reform and Control  
19 Act of 1986 (Public Law 99–603).

20 “(C) SHARING OF INFORMATION.—The  
21 heads of Federal departments and agencies  
22 shall share information with each other with re-  
23 spect to an individual who is the subject of a  
24 request received under paragraph (A) in order  
25 to enable them to respond to the request.

1           “(D) INVESTIGATION FOR PURPOSES OF  
2           REMOVAL.—The Secretary of Homeland Secu-  
3           rity shall conduct an investigation to determine  
4           whether to initiate removal proceedings under  
5           section 239 of the Immigration and Nationality  
6           Act (8 U.S.C. 1229) if it is determined pursu-  
7           ant to subparagraph (A) or (B) that an alien  
8           (as such term is defined in section 101 of the  
9           Immigration and Nationality Act (8 U.S.C.  
10          1101)) is unlawfully registered to vote in elec-  
11          tions for Federal office.

12           “(E) PROHIBITING FEES.—The head of a  
13          Federal department or agency may not charge  
14          a fee for responding to a State’s request under  
15          paragraph (A).

16          “(k) REMOVAL OF NONCITIZENS FROM REGISTRA-  
17          TION ROLLS.—A State shall remove an individual who is  
18          not a citizen of the United States from the official list  
19          of eligible voters for elections for Federal office held in  
20          the State at any time upon receipt of documentation or  
21          verified information that a registrant is not a United  
22          States citizen.”.

23          (g) CLARIFICATION OF AUTHORITY OF STATE TO  
24          REMOVE NONCITIZENS FROM OFFICIAL LIST OF ELIGI-  
25          BLE VOTERS.—

1           (1) IN GENERAL.—Section 8(a)(4) of the Na-  
2           tional Voter Registration Act of 1993 (52 U.S.C.  
3           20507(a)(4)) is amended—

4                   (A) by striking “or” at the end of subpara-  
5                   graph (A);

6                   (B) by adding “or” at the end of subpara-  
7                   graph (B); and

8                   (C) by adding at the end the following new  
9                   subparagraph:

10                   “(C) documentary proof or verified infor-  
11                   mation that the registrant is not a United  
12                   States citizen;”.

13           (2) CONFORMING AMENDMENT.—Section  
14           8(c)(2)(B)(i) of such Act (52 U.S.C.  
15           20507(c)(2)(B)(i)) is amended by striking “(4)(A)”  
16           and inserting “(4)(A) or (C)”.

17           (h) REQUIREMENTS WITH RESPECT TO FEDERAL  
18           MAIL VOTER REGISTRATION FORM.—

19           (1) CONTENTS OF MAIL VOTER REGISTRATION  
20           FORM.—Section 9(b) of such Act (52 U.S.C.  
21           20508(b)) is amended—

22                   (A) in paragraph (2)(A), by striking “(in-  
23                   cluding citizenship)” and inserting “(including  
24                   an explanation of what is required to present

1 documentary proof of United States citizen-  
2 ship)”;

3 (B) in paragraph (3), by striking “and” at  
4 the end;

5 (C) in paragraph (4), by striking the pe-  
6 riod at the end and inserting “; and”; and

7 (D) by adding at the end the following new  
8 paragraph:

9 “(5) shall include a section, for use only by a  
10 State or local election official, to record the type of  
11 document the applicant presented as documentary  
12 proof of United States citizenship, including the date  
13 of issuance, the date of expiration (if any), the office  
14 which issued the document, and any unique identi-  
15 fication number associated with the document.”.

16 (2) INFORMATION ON MAIL VOTER REGISTRA-  
17 TION FORM.—Section 9(b)(4) of such Act (52  
18 U.S.C. 20508(b)(4)) is amended—

19 (A) by redesignating clauses (i) through  
20 (iii) as subparagraphs (A) through (C), respec-  
21 tively; and

22 (B) in subparagraph (C) (as so redesign-  
23 dated and as amended by paragraph (1)(C)), by  
24 striking “; and” and inserting the following: “,  
25 other than as evidence in a criminal proceeding

1 or immigration proceeding brought against an  
2 applicant who attempts to register to vote and  
3 makes a false declaration under penalty of per-  
4 jury that the applicant meets the eligibility re-  
5 quirements to register to vote in an election for  
6 Federal office; and”.

7 (i) PRIVATE RIGHT OF ACTION.—Section 11(b)(1) of  
8 the National Voter Registration Act of 1993 (52 U.S.C.  
9 20510(b)(1)) is amended by striking “a violation of this  
10 Act” and inserting “a violation of this Act, including the  
11 act of an election official who registers an applicant to  
12 vote in an election for Federal office who fails to present  
13 documentary proof of United States citizenship,”.

14 (j) CRIMINAL PENALTIES.—Section 12(2) of such  
15 Act (52 U.S.C. 20511(2)) is amended—

16 (1) by striking “or” at the end of subparagraph  
17 (A);

18 (2) by redesignating subparagraph (B) as sub-  
19 paragraph (D); and

20 (3) by inserting after subparagraph (A) the fol-  
21 lowing new subparagraphs:

22 “(B) in the case of an officer or employee  
23 of the executive branch, providing material as-  
24 sistance to a noncitizen in attempting to reg-

1           ister to vote or vote in an election for Federal  
2           office;

3           “(C) registering an applicant to vote in an  
4           election for Federal office who fails to present  
5           documentary proof of United States citizenship;  
6           or”.

7           (k) SPECIAL RULE FOR STATES NOT REQUIRING  
8 VOTER REGISTRATION.—Section 4 of the National Voter  
9 Registration Act of 1993 (52 U.S.C. 20503), as amended  
10 by subsection (b), is amended by adding at the end the  
11 following:

12           “(c) SPECIAL RULE FOR STATES NOT REQUIRING  
13 VOTER REGISTRATION.—In the case of a State or jurisdic-  
14 tion that does not require voter registration as a require-  
15 ment to vote in an election for Federal office on or after  
16 the date of the enactment of this subsection, the State  
17 or jurisdiction shall be deemed to meet the requirements  
18 of this Act if the State or jurisdiction establishes a system  
19 for confirming the citizenship of individuals voting in an  
20 election for Federal office prior to the first day for voting  
21 with respect to such election and provides such confirma-  
22 tion of citizenship status for each eligible voter to election  
23 officials at the polling places during the voting period.”.

24           (l) ELECTION ASSISTANCE COMMISSION GUID-  
25 ANCE.—Not later than 10 days after the date of the enact-

1 ment of this Act, the Election Assistance Commission shall  
2 adopt and transmit to the chief State election official of  
3 each State guidance with respect to the implementation  
4 of the requirements under the National Voter Registration  
5 Act of 1993 (52 U.S.C. 20501 et seq.), as amended by  
6 this section.

7 (m) INAPPLICABILITY OF PAPERWORK REDUCTION  
8 ACT.—Subchapter I of chapter 35 of title 44 (commonly  
9 referred to as the “Paperwork Reduction Act”) shall not  
10 apply with respect to the development or modification of  
11 voter registration materials under the National Voter Reg-  
12 istration Act of 1993 (52 U.S.C. 20501 et seq.), as  
13 amended by this section, including the development or  
14 modification of any voter registration application forms.

15 (n) DUTY OF SECRETARY OF HOMELAND SECURITY  
16 TO NOTIFY ELECTION OFFICIALS OF NATURALIZA-  
17 TION.—Upon receiving information that an individual has  
18 become a naturalized citizen of the United States, the Sec-  
19 retary of Homeland Security shall promptly provide notice  
20 of such information to the appropriate chief election offi-  
21 cial of the State in which such individual is domiciled.

22 (o) RULE OF CONSTRUCTION REGARDING PROVI-  
23 SIONAL BALLOTS.—Nothing in this section or in any  
24 amendment made by this section may be construed to  
25 supercede, restrict, or otherwise affect the ability of an

1 individual to cast a provisional ballot in an election for  
2 Federal office or to have the ballot counted in the election  
3 if the individual is verified as a citizen of the United  
4 States pursuant to section 8(j) of the National Voter Reg-  
5 istration Act of 1993 (as added by subsection (f)).

6 (p) **RULE OF CONSTRUCTION REGARDING EFFECT**  
7 **ON STATE EXEMPTIONS FROM OTHER FEDERAL LAWS.—**  
8 Nothing in this section or in any amendment made by this  
9 section may be construed to affect the exemption of a  
10 State from any requirement of any Federal law other than  
11 the National Voter Registration Act of 1993 (52 U.S.C.  
12 20501 et seq.).

13 (q) **EFFECTIVE DATE.—**This section and the amend-  
14 ments made by this section shall take effect on the date  
15 of the enactment of this section, and shall apply with re-  
16 spect to applications for voter registration which are sub-  
17 mitted on or after such date.

18 **SEC. 103. PHOTO VOTER IDENTIFICATION REQUIRED FOR**  
19 **VOTING IN A FEDERAL ELECTION.**

20 (a) **IN GENERAL.—**Each individual voting in an elec-  
21 tion for Federal office shall present an eligible photo iden-  
22 tification document.

23 (b) **PRESENTATION REQUIREMENTS.—**

1           (1) IN-PERSON VOTING.—In the case of an indi-  
2           vidual who votes in-person, the eligible photo identi-  
3           fication document shall—

4                   (A) be a tangible (not digital) document;

5                   and

6                   (B) be presented at the time of voting.

7           (2) ABSENTEE VOTING.—In the case of an indi-  
8           vidual voting by absentee ballot, the individual shall  
9           include a copy of the eligible photo identification  
10          document—

11                   (A) with the request for an absentee ballot;

12                   and

13                   (B) with the submission of the absentee  
14          ballot.

15          (c) ELIGIBLE PHOTO IDENTIFICATION DOCU-  
16          MENT.—For purposes of this section:

17           (1) IN GENERAL.—The term “eligible photo  
18          identification document” means any document  
19          which—

20                   (A) is issued by an authority described in  
21          paragraph (2); and

22                   (B) meets the requirements of paragraph  
23          (3).

24          (2) ISSUING AUTHORITY.—The following are  
25          authorities described in this paragraph:

1 (A) A State agency responsible for issuing  
2 State motor vehicle drivers' licenses.

3 (B) A State or local election office.

4 (C) A Native tribal government.

5 (D) The Department of State.

6 (E) The Department of War.

7 (F) A branch of the Armed Forces.

8 (3) REQUIREMENTS.—A document meets the  
9 requirements of this paragraph if the document con-  
10 tains—

11 (A) a photograph of the individual identi-  
12 fied on the document;

13 (B) an indication on the front of the docu-  
14 ment that the individual identified on the docu-  
15 ment is a United States citizen; and

16 (C) either—

17 (i) an identification number issues by  
18 the entity described in paragraph (2)(A);  
19 or

20 (ii) the last four digits of the social  
21 security number of the individual identified  
22 on the document.

23 (4) USE OF ADDITIONAL DOCUMENTATION.—

24 (A) USE OF ADDITIONAL DOCUMENTA-  
25 TION.—A document which fails to meet the re-

1            requirements of paragraph (3)(B) shall not fail to  
2            be treated as an eligible photo identification  
3            document if the document is presented together  
4            with another identification document that indi-  
5            cates the individual is a United States citizen.

6            (B) STATES USING SAVE SYSTEM.—

7            (i) IN GENERAL.—The requirements  
8            of paragraph (3)(B) shall not apply to an  
9            individual—

10            (I) who votes in a State or juris-  
11            diction which meets the requirements  
12            of clause (ii); and

13            (II) who registered to vote in  
14            such State or jurisdiction before the  
15            most recent date on which the State  
16            or jurisdiction last submitted its voter  
17            registration rolls to the Department of  
18            Homeland Security as provided in  
19            clause (ii)(I).

20            (ii) REQUIREMENTS.—The require-  
21            ments of this clause are met if—

22            (I) the State or jurisdiction has  
23            submitted its voter registration list to  
24            the Department of Homeland Security  
25            through the Systematic Alien

1 Verification for Entitlements (SAVE)  
2 program not less frequently than  
3 quarterly since June 1, 2025, for pur-  
4 poses of identifying ineligible registra-  
5 tions and non-citizens; and

6 (II) the State or jurisdiction indi-  
7 cates in each voter record on its voter  
8 rolls whether the voter has been  
9 verified as a United States citizen  
10 based on the information provided by  
11 the Department of Homeland Security  
12 under subclause (I), and the date of  
13 such verification.

14 (iii) SPECIAL RULE FOR STATES NOT  
15 REQUIRING VOTER REGISTRATION.—In the  
16 case of a State or jurisdiction that does  
17 not require voter registration as a require-  
18 ment to vote in an election for Federal of-  
19 fice on or after the date of the enactment  
20 of this Act—

21 (I) clause (i)(ii) shall not apply;  
22 and

23 (II) the State or jurisdiction shall  
24 be deemed to meet the requirements  
25 of clause (ii) if the State or jurisdic-

1                   tion establishes a system for con-  
2                   firming the citizenship of individuals  
3                   voting in an election for Federal office  
4                   prior to the first day of the period de-  
5                   scribed in section 3 with respect to  
6                   such election and provides such con-  
7                   firmation of citizenship status for  
8                   each eligible voter to election officials  
9                   at the polling places during the voting  
10                  period.

11           (d) CONFORMING AMENDMENT.—Section 303(b) of  
12 the Help America Vote Act of 2002 (52 U.S.C. 21083(b))  
13 is amended by striking all that precedes paragraph (4).

14           (e) EFFECTIVE DATE.—Each State and jurisdiction  
15 shall be required to comply with the requirements of this  
16 section with respect to all elections for Federal office oc-  
17 ccurring on and after the date of the enactment of this  
18 section.

